

04.10.2023.

Item No. 25

Court No.1

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (DB) No. 615 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 21.09.2023 in connection with Dinhata Police Station Case No. 380 of 2019 dated 30.08.2019 under Sections 363/365 of the Indian Penal Code and subsequently added Section 6 of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Manirujjamal @ Manirujamal @ Maniruljaman @ Manirul Rahaman @ Haque @ Mani.**

...Petitioner

Mr. Sudip Guha,
Mr. Sandip Guha Roy.

...For the petitioner

Mr. Abhijit Sarkar,
Mr. Chattu Roy.

....For the State.

1. This is a second application for bail made by the accused.
2. An earlier Co-ordinate Bench of this Court found that after scrutinizing the statement of the petitioner recorded under Section 164 of the Code of Criminal Procedure that there was sufficient evidence against the petitioner.
3. It appears from the records that the victim was 15½ years old at the time of commission of offence.
4. Going through the statement recorded under Section 164 of the Code of Criminal Procedure as also considering the nature of the offence and in view of the fact that an earlier Co-ordinate Bench of this Court has rejected the

prayer for bail of the petitioner, this Court sees no changed circumstances which would compel us to grant bail to the petitioner.

5. Hence, C.R.M. (DB) No. 615 of 2023 shall stand dismissed.

6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Supratim Bhattacharya, J.) (Rajasekhar Mantha, J.)