

17.11.2023

Serial no.3

Court No.1

(CHC)

*Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side*

CRM (DB) 630 of 2023

*In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Dhupguri** Police Station Case No. **313 of 2020** dated **02.09.2020** under Sections **363/376D** of the Indian Penal Code, 1860 read with Section 6 of the POCSO Act.*

-And-

In the matter of : **Rahimul Alam @ Dulu Alam**
... .. Petitioner

Mr. Ujjwal Luksom, Advocate
Mr. Sagnik Sankar Sikdar, Advocate
Ms. Namrata Das, Advocate
... ..For the **State**

None appears in support of the petition.

None appeared in support of the petition yesterday also.

State is represented.

Learned advocate for the State draws the attention of the Court to the statements of victim recorded under Section 161 and 164 of the Criminal Procedure Code.

The two statements of the victim read together, implicates the petitioner in the commission of the offences as alleged as against the accused.

Police filed charge-sheet.

The victim girl was examined medically where she complained of sexual assault. The doctor examining the victim girl, opined that, sexual intercourse and penetration was a possibility.

We perused the medical report as provided in a sealed envelope with the petition. The sealed envelope opened in Court be sealed.

Given the materials in the Case Diary and the medical opinion, and considering the gravity of the offence and involvement of the petitioner in the incident, we are unable to grant bail to the petitioner.

CRM(DB) 630 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)