

15.12.2023
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rejected

IN THE HIGH COURT AT CALCUTTA

Circuit Bench at Jalpaiguri

CRM (DB) 686 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhaktinagar Police Station Case No. 840 of 2023 dated 21.09.2023 under Sections 363/365 of the Indian Penal Code and charge-sheet submitted under Sections 363/365 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Bishal Biswaspetitioner

Mr. Anirban Banerjee

..... for the petitioner

Mr. Aditi Shankar Chakraborty, learned APP

Mr. Tapan Bhattacharjee

..... for the State

Mr. Sourav Ganguly

..... for the de facto complainant

1. Learned Counsel for the petitioner submits there was free mixing between himself and the minor victim. He prays for bail.
2. Learned Counsel for the State opposes the prayer for bail.
3. Learned Counsel for the de facto complainant also opposes the prayer for bail.
4. We have considered the materials on record including the statement of the minor. Her statement shows petitioner is a married person and had kidnapped her. She was blackmailed and raped. In view of the aforesaid

incriminating circumstances and gravity of the offence we are not inclined to grant bail to the petitioner.

5. Application for bail is, thus, rejected.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)