

08.01.2024
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rejected

C.R.M.(DB) No. 26 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No. 343 of 2022 dated 15.12.2022 under Sections 363/365 of the Indian Penal Code and charge-sheet submitted under Sections 363/365/376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Sher Khan Petitioner

Mr. Ashok Das

Mr. Amanul Islam

Mr. Sourav Mukherjee

Ms. Hasi Jana

....for the petitioner

Ms. Sonali Das

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for 109 days. It is also submitted there was a romantic relationship between the parties. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record including the statement of the minor. In her statement, the minor claimed that the petitioner had induced her on promise of love to elope. Thereafter she was sold for sexual exploitation. In view of the aforesaid incriminating materials and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)