

05.02.2024

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rejected

C.R.M.(DB) No. 106 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baduria Police Station Case No. 386 of 2022 dated 18.06.2022 under Sections 376(2)(n)/506 of the Indian Penal Code and Sections 4/6 of the POCSO Act.

And

In Re : Sariful Molla

.... petitioner

Mr. Anubrata Dutta

....for the petitioner

Mr. Swapan Banerjee

Ms. Pritha Paul

... for the State

1. Learned Counsel for the petitioner submits he is in custody for more than a year. It is also submitted there was free mixing between the parties. Victim has already been examined. Accordingly, he prays for bail.
2. Learned Counsel for the State opposes the prayer for bail.
3. We have considered the materials on record. We note examination of the victim is not yet complete. Under such circumstances and to avoid any adverse impact on the victim, we are not inclined to grant bail to the petitioner at this stage.
4. Application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)