

01.02.2024  
Sl. No.45  
akd  
[Rejected]

**C. R. M. (DB) 309 of 2024**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.01.2024 in connection with Gazole Police Station Case No.889 of 2023 dated 11.11.2023 under Sections 376(2)(f)/506 of the Indian Penal Code read with Section 4 of the POCSO Act.

And

In Re: ***Mukul Kittaniya @ Mukul Kirtyaniya***  
... .. Petitioner

Mr. Kalidas Saha  
... .. for the petitioner

Mr. Avishek Sinha  
... .. for the State

1. It is submitted on behalf of the petitioner that the allegation of forcible rape is out and out false. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record including the statement of the minor. She alleged petitioner had called her to his house and forcibly raped her. Medical report also corroborates the allegation of rape. In view of the aforesaid materials and gravity of offence, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**