

12.03.2024

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sdas
rejected

C.R.M.(DB) No. 479 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhangore Police Station Case No. 239 of 2022 dated 19.04.2022 under Sections 376DA/376(2)(f)/376(2)(i)/376(2)(n)/323/506 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Maidul @ Moidul Molla petitioner

Mr. Pawan Kumar Gupta

Mr. Manoj Kurmi

Ms. Sofia Nesar

Mr. Santanu Sett

....for the petitioner

Mr. Rana Mukherje, learned APP

Mr. Santanu Deb Roy

... for the State

1. Report with regard to the treatment and other support facilities provided to the child has been filed in CRM (DB) 3645 of 2023. Report be treated as a part of the records in this case too.

2. We have considered the materials on record. Victim is a mentally challenged girl. She alleged she had been initially abused by the petitioner. He does not stand on the same footing with co-accused in CRM (DB) 3645 of 2023 who had been falsely implicated on the insinuation of the petitioner. Accordingly, we are not inclined to grant bail to the petitioner.

3. Application for bail is, thus, rejected.

4. Copy of this order be communicated to the Member Secretary, SALSA and Secretary, DLSA for necessary compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)