

23.02.2024.
45.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 553 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Newtown P.S. Case No.253 of 2016 dated 15.05.2016 under Sections 376(2)(f) of the Indian Penal Code and under Section 6 of the POCSO Act and charge sheet submitted under Sections 376(2)(f) of the Indian Penal Code and under Section 6 of the POCSO Act.

In the matter of : **Pintu Mistri @ Pintu Mistry.**
... Petitioner.

Mr. Prolay Bhattachryya,
Ms. Tanusree Ghosh.
...for the Petitioner.

Mr. Partha Pratim Das,
Ms. Jonaki Saha.
...for the State.

1. Petitioner contends he was granted anticipatory bail by the Sessions Court. Subsequently, he has been arrested and is in custody for five months. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits petitioner had absconded and the minor victim is yet to be examined.

3. We have considered the materials on record. Though petitioner was granted pre-arrest bail, the said order was cancelled by this Court. Thereafter, he absconded. Victim is yet to be examined.

4. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)