

20.03.2024
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sdas
rejected

C.R.M.(DB) No. 726 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kandi Police Station Case No. 42 of 2023 dated 01.02.2023 under Sections 363/365/34 of the Indian Penal Code and subsequently adding Sections 343/376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re : Alamgir Sk. @ Alamgir Mallick @ Riton Sk. Petitioner

Mr. Manas Kumar Das
....for the petitioner

Mr. Mainak Gupta
..... for the State

Md. Hafiz Ali
..... for de facto complainant

1. Learned Counsel for the petitioner submits there was a romantic relationship between the parties. Accordingly, he prays for bail.

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

3. Learned Counsel for the de facto complainant submits petitioner was a married man.

4. We have considered the materials on record. Petitioner was a married man. He had subjected a minor to penetrative sexual assault. Vulnerable witness i.e. the minor is yet to be

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

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)