

20.03.2024
tkm/ct 28
sl no. 43

C.R.M. (DB) 888 of 2024

In Re : An application for bail under section 439 Cr.P.C in connection with Nowda PS case no. 248 of 2023 dated 26.7.2023 under sections 323/506/307/509/376/109 IPC and sections 4/17 of the POCSO Act
And

In Re : Noor Islam Sk @Nur Islam Sk petitioner

Mr. T Gupta
Mr. Suman Bhanja

..... for the petitioner

Mr. Iqbal Kabir

..... for the State

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. S Mukherjee

..... for the de facto complainant

1. Petitioner is in custody for seven months. He submits there was a romantic relationship between the parties. He has been falsely implicated. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. Learned lawyer for the de facto complainant denies and disputes the submission regarding romantic relationship. He contends victim was forcibly raped and pushed from the roof resulting in serious injuries.
4. We have considered the materials on record. Statement of the victim shows she was forcibly kidnapped and taken to the roof. There she was raped. When she cried out, she was pushed from the roof and suffered injuries.
5. In view of the gravity of offence involving a minor, we are not inclined to grant bail to the petitioner at this stage.
6. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)