

10.04.2024
Sl. No.29
akd
[Rejected]

C. R. M. (DB) 1066 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.04.2024 in connection with Domkal Police Station Case No.274 of 2023 dated 29.04.2023 under Section 376D of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Sanuyar Hossain @ Sanuar Malitha*** Petitioner

Mr. Golam Mostafa
Mr. Samirul Sardar
Mr. Arshad Hussain
... .. for the petitioner

Mr. Anand Kesari
Mr. Abhishek Verma
... .. for the State

- 1. Heard the learned Advocates appearing for both the parties.
- 2. We have considered the materials on record including the statement of the minor. Her statement implicates the petitioner and others in the offence of penetrative sexual assault. Co-accused who are on bail were children in conflict with law. Petitioner cannot claim parity with the said co-accused. Vulnerable witness is yet to be examined. Under such circumstances and the gravity of offence, we are not inclined to grant bail to the petitioner at this stage.
- 3. The application for bail is thus rejected.

(Gaurang Kanth, J.) (Joymalya Bagchi, J.)