

19.04.2024
Sl. No.41
akd
[Rejected]

C. R. M. (DB) 1225 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.03.2024 in connection with Debra Police Station Case No.153 of 2024 dated 06.03.2024 under Section 376(3) of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re: **Mantu Kumar Routh**

... .. Petitioner

Mr. Arindam Jana
Mr. Siddhartha Sarkar
Mr. Arhan Sengupta
Ms. Tanusree kar
Mr. Partha Pratim Sinha

... .. for the petitioner

Mr. Atif Ahmed Siddiqui

... .. for the State

1. It is submitted on behalf of the petitioner that the allegation of penetrative sexual assault by him is false. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record including the statement of the minor. We have also gone through the medical report of AIIMS, Bhubaneswar. We have taken into consideration that the minor was suffering from psychiatric issues but she constantly asserted that petitioner had subjected her to sexual assault including penetrative assault. In view of the aforesaid materials on record and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

