

29.04.2024.
35.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 1328 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Krishnagar Women P.S. Case No.114 of 2023 dated 27.12.2023 under Sections 376(3)/506 of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : **Ashok Sarkar.**

... Petitioner.

Ms. Atreyee Halder.

...for the Petitioner.

Mr. Subhamay Bhattacharya,
Mr. Rahul Ganguly.

...for the State.

1. Petitioner submits there is delay in lodging First Information Report. He had rescued the victim who had been kidnapped by one Gokul Mondal. Subsequently, he has been falsely implicated. Accordingly, he prays for bail.

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

3. We have considered the materials on record. Victim is a minor girl. She alleged she had been forcibly raped by the petitioner. Out of fear she kept mum. On the second occasion when the petitioner tried to kidnapped her, she divulged the incident to her parents. She has explained the delay in lodging the First Information Report. She is yet to be examined in court.

4. In view of the aforesaid incriminating facts and gravity of the offence, we are not inclined to grant bail to the petitioner.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)