

CRM (DB) 1965 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Suti Police Station** Case No. **125 of 2024** dated **21.02.2024** under Sections **376(D)(A)** of Indian Penal Code read with Section 6 of the POCSO Act.

- A n d -

In the matter of : Rikson alias Rikson Sk.

.... Petitioner.

Ms. Shabana Hasin,
Ms. S. Akter,
Ms. Nera Roy,

... For the Petitioner.

Mr. Debasish Roy, Ld PP,
Mr. Arijit Ganguly,
Mr. K. Kundu,

... For the State.

Mr. Manas Kumar Das,
Mr. Aritra Kumar Thokdar,

.... For the defacto complainant.

Order dictated in open court by Apurba Sinha Ray, J.

Learned Advocate for the petitioner submits that he has been falsely implicated. He was not present at the time of the alleged occurrence. He has been languishing in judicial custody for about 138 days. Charge sheet has been submitted. The petitioner may be enlarged on bail on any condition.

Learned Advocate for the State raises strong objection. He refers to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure as well as the medical examination report.

After going through the materials on record, it appears that the victim is about 14 years and there is sufficient incriminating material against the present petitioner.

In view of the above, we are not inclined to allow the prayer of the petitioner for bail at this stage.

CRM (DB) 1965 of 2024 is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)