

CRM (DB) 2014 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bhangar Police Station** Case No. **420 of 2023** dated **22.07.2023** under Section **376(3)/376(2)(n)** of Indian Penal Code and Sections 6/17 of the POCSO Act and Sections 9/11 of the Prohibition of Child Marriage Act..

- A n d -

In the matter of : Gopal Das

.... Petitioner.

Mr. Debabrata Karan,
Mr. Debopriyo Karan,

... For the Petitioner.

Mrs. Amrita Gour,
Mr. Kunal Ganguly,

... For the State.

Order dictated by Arijit Banerjee, J.:

1. The petitioner says that he is in custody for ten months. He has been falsely implicated. He has no role to play in the alleged offence.

2. While opposing the prayer for bail, learned Advocate for the State draws our attention to the material in the case diary including statement of the victim girl recorded under Section 164 of the Criminal Procedure Code. The girl was about 13 years 4 months of age at the time of the incident. She vividly narrates as to how she was forced to marry the present petitioner, who was 30 years of age at that time and how she was tortured and forced to have physical relationship with the petitioner at the petitioner's house.

3. Given the seriousness of the nature of the crime and the *prima facie* involvement of the petitioner, we are not inclined to enlarge the petitioner on bail, at this stage.

4. CRM (DB) 2014 of 2024 is, thus, dismissed.
5. 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.)