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22-07-2024
(ct. no.28)
S. De
(Rejected)

CRM (DB) 2111 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure

- A n d -

In the matter of : Shubhashish Maity @ Shubhasish Maity @ Taplu @ Dablu.

.... Petitioner.

Mr. Pronojit Roy,

... For the Petitioner.

Mr. Ranadeb Sengupta,
Mr. Debarshi Brahma,

... For the State.

Order dictated by Arijit Banerjee, J.

Affidavit-of-service and also the report filed by the State are taken on record.

The allegation is that the petitioner sexually assaulted the victim girl who was about 14 years 5 months at the time of the alleged incident. The victim girl is mentally challenged.

The petitioner says that he has been falsely implicated. He is in custody for about 138 days. We have not only seen the statement of the victim girl recorded under Section 164 Cr.P.C. but also the medical report. The medical report corroborates the allegation of sexual assault. The statements of the petitioner's grandmother as also his elder brother recorded under Section 161 Cr.P.C. also implicate the petitioner.

In view of the aforesaid, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

CRM (DB) 2111 of 2024 is dismissed.

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

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)