

15.01.2024
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rejected

C.R.M.(DB) No. 4571 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Usthi Police Station Case No. 253 of 2023 dated 02.06.2023 under Sections 363/365 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re : Toufik Khan Petitioner

Md. Wasim Akram
Mr. Nabiul Islam

....for the petitioner

Mr. Imran Ali
Mr. Apurba Kumar Datta

..... for the State

Mr. Fahad Imam
Mr. Abhinav Rakshit

..... for de facto complainant

1. Learned Counsel for the petitioner submits there was a romantic relationship between the parties. He has been falsely implicated. Accordingly, he prays for bail.

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

3. We have considered the materials on record. Statement of the minor implicates the petitioner in the offence of penetrative sexual assault. She has not been examined as yet. Accordingly, we are not inclined to grant bail to the petitioner.

4. The application for bail is, thus, rejected.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)