

15.01.2024

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rejected

C.R.M.(DB) No. 4615 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Manikchak Police Station Case No. 421 of 2023 dated 12.06.2023 under Sections 363/365/34 of the Indian Penal Code and adding Section 4 of the POCSO Act.

And

In Re : Bubai Saha

.... Petitioner

Mr. S. Deb Roy

Mr. D. Guha

....for the petitioner

Ms. Rituparna De Ghosh

..... for the State

Mr. Soumya Khan

..... for de facto complainant

1. Learned Counsel for the petitioner submits there was a romantic relationship between the parties. He has been falsely implicated in the case. 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 victim shows she was forcibly kidnapped and raped. She is a minor and is yet to depose in Court. Under such circumstances, 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.)