

17.05.2024

Sl. No.15

akd

[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (DB) 139 of 2024
(CRAN 1 of 2024)

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.03.2024 in connection with Banarhaat Police Station Case No. 245 of 2023 dated 04.09.2023 under Sections 363/365 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In Re: ***Suman Minz @ Suman Minj***

... .. Petitioner

Ms. Trishna Roy

... .. for the petitioner

Mr. Ujjwal Luksom

Mr. Sagnik Sankar Sikdar

... .. for the State

Re : C.R.A.N. 1 of 2024

1. We have considered the averments in the said application seeking recalling of the order dated 22.04.2024. The application for bail was dismissed for default and not on merits.
2. Under such circumstances, we are inclined to recall the order dated 22.04.2024 and restore the application to its original file and number.
3. The application being CRAN 1 of 2024 is thus, allowed.

Re : C.R.M. (DB) 139 of 2024

4. We have considered the materials on record including the statement of the minor. Her statement implicates the petitioner in the offence of penetrative sexual assault. Minor has not yet been

examined. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

5. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)