

21.05.2024

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rejected

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M.(DB) No. 248 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Coochbehar Sadar Women Police Station Case No. 183 of 2023 dated 26.12.2023 under Sections 376/506/323 of the Indian Penal Code read with Section 4/17 of the POCSO Act.

And

In Re : Mintu Roy petitioner

Mr. Subhasish Misra

....for the petitioner

Mr. Kallol Acharjee

Mr. Dhiman Sil

..... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Statement of the minor implicates the petitioner in the offence of penetrative sexual assault. Absence of injury *per se* is not a ground to improbabilise the allegation. Under such circumstances, we are not inclined to grant bail to the petitioner.

3. Application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)