

18.02.2025

DL-67

Court No.26

CRM (DB) 4119 of 2024

(Bail Rejected)

(AD)

In re : An Application for Bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 in connection with POCSO Case No.-39 of 2022 arising out of **Krishnagar Kotwali** Police Station Case No.**411** of **2022** dated **23.04.2022** under Sections **363/365/376(3)** of the Indian Penal Code, 1860 and Section **6** of the Protection of Children from Sexual Offences Act, 2012.

-And-

In the matter of : XXXX

... ...Petitioner

Mr. Sumanta Das, Advocate
Mr. Avilash Tripathi, Advocate

... ... For the Petitioner

Mr. Ranabir Roy Chowdhury, Ld. APP
Ms. Rajashree Tah, Advocate

... ...For the State

Mr. Ashok Das, Advocate
Ms. Hasi Jana, Advocate
Mr. Shreyush Mondal, Advocate

... ... For the de facto complainant.

1. Petitioner is facing trial in respect of penetrative sexual assault of a minor.
2. Out of 13 prosecution witnesses, 12 were examined.
3. Petitioner is related to the victim.
4. Enlarging the petitioner at the stage of the trial is not desirable given his relationship with the victim and the stage of the trial.
5. In such circumstances, we are not inclined to grant bail to the petitioner.
6. Accordingly, the prayer for bail of the petitioner is **rejected**.

7. **CRM (DB) 4119 of 2024** is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)