

30.05.2022
(vacation
Bench)

Court No.5
Item No.28
(Rejected)

Saswata

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

CRM (DB) 1438 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Harwood Point Coastal Police Station Case No. 361 dated 15/10/2021 under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act, 2006 ;

And

In the matter of : **Palash Barik**

...Petitioner

Mr. Firoz Edjulji
Mr. S.K.Dan
Mr. L. Maitra
Mr. Kalyan Kr. Bhattacharjee

...For the Petitioner

Mr. N. Ahmed
Ms. Trina Maitra

... for the State

The petitioner prays for bail.

The petitioner is the prime accused in a criminal case involving Sections 363/365 of the Indian Penal Code 1860 and Section 6 of the POCSO Act 2012 and Sections 9/10 of the Prohibition of Child Marriage Act, 2006 now pending before the Court of the Learned Additional District & Sessions Judge, 1st Court of Kakdwip.

It is submitted by the learned counsel for the petitioner that there was an amorous relationship between the petitioner and the victim girl and he has been falsely implicated in the said criminal case on the instruction of the family members of the victim girl and the petitioner is languishing in custody for nearly 79 days.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials in the case diary and the prima facie involvement of the petitioner in the alleged offence, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is ***rejected***.

CRM (DB) 1438 of 2022 is dismissed.

(Arindam Mukherjee, J.)

(Subhendu Samanta, J.)