

16.09.2020

BP/BR
SL.13

CRM 6606 of 2020
With
CRAN 1 of 2020

(Via Video Conference)

In re: An application for bail under Section 439
of the Code of Criminal Procedure, 1973.

In the matter of : Shakila Bibi...petitioner

Mr. Asraf Mandal
..for the petitioner.

Mr. Imran Ali
Ms. Manasi Roy
..for the State.

The prayer for bail is moved on behalf of the petitioner on the ground that she is in custody for about 153 days and secondly she is a lady. She cannot take part in committing offence under Section 376 of the Indian Penal Code.

However, it transpires from the submission made by the learned advocate for the prosecution and on careful perusal of the case diary that the husband of the victim has two wives. The petitioner is the daughter in law of the first wife. In order to belittle the victim who is the second wife of one Rakib Sk, the petitioner had hatched up the conspiracy with the

other accused persons who committed rape upon her and the incident was videographed and it was circulated in the locality.

The learned advocate for the petitioner has repeatedly urged that FIR was made after the delay of 64 days. However, the implication of delay shall be considered at the time of trial.

Considering the materials in the case diary, we are not inclined to release the petitioner on bail.

Accordingly, the prayer for bail is rejected.

The application for bail being C.R.M. 6606 of 2020 and C.R.A.N. 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Bibek Chaudhuri, J.)