

20.10.2020.

Item No. 8

(Rejected)

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C.R.M. 7994 of 2020

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Haringhata P.S. Case No. 220 of 2020 dated 02.09.2020 under Sections 498A/325/376/120B/506 of the Indian Penal Code;

And

In the matter of : **Pranab Halder.**

... petitioner.

Mr. Krishan Roy,

Mr. Pronojit Roy.

...For the petitioner.

Mr. Rana Mukherjee, Ld. APP,

Ms. Sujata Das.

...For the State.

The learned Advocate-on-Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within forty-eight hours of resumption of the normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing.

The learned Advocate for the petitioner submits that the petitioner has been falsely implicated in connection with the instant case and is unnecessarily languishing in jail for 48 days. It is further submitted that the case was registered on the basis of an allegation of committing rape three months prior thereto and there is no explanation for such delayed registration of the case.

The learned Advocate for the State opposes the prayer for bail. It is submitted that the petitioner sexually assaulted the defacto complainant and relies upon the statement recorded under Section 164 of the Code of Criminal Procedure. It is further submitted that the investigation is at the nascent stage and if the petitioner is released on bail, it may hamper such investigation.

Considering the submissions advanced by the respective Counsels and on perusal of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, we do not think that it is a fit case where the petitioner should be released on bail.

Accordingly, the application for bail being CRM 7994 of 2020 is **rejected**.

(Ravi Krishan Kapur, J.)

(Harish Tandon, J.)