

18.12.2020
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Sdas
rejected

C.R.M. 10559 of 2020
(via video conference)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jalpaiguri Women Police Station Case No. 95 of 2020 dated 12.02.2020 under Sections 448/376(2)(I) of the Indian Penal Code.

And

In Re : Dhiraj Ekka @ Oraon petitioner

Mr. Jaydeep Kanta Bhowmik
... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Sagnik Sankar Sikdar
... for the State

It is submitted by the learned Counsel appearing for the petitioner that there was a love affair between the parties. He is in custody for 92 days.

Learned Counsel appearing for the State opposes the prayer for bail and submits that the victim is a person with special needs.

We have considered the statements of the victim and her relations. They implicate the petitioner in an act of forcible rape.

In view of gravity of the offence and the vulnerable status of the victim, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)