

CRM No.235 of 2021

12.02.21 In re: An application for bail under Section 439 of the Code of Criminal Procedure
(S.R.) filed in connection with **Sankrail** Police Station **Case No.539 of 2020** dated
Sl.07 **04.07.2020** under Sections **376(2)(n)** of the Indian Penal Code, 1860;
Ct.28 And

In re: Monirul Mistry @ Khokan Mistry ... petitioner.

Mr. Kallol Mondal

Ms. Amrita Chel

... for the petitioner.

Mr. Saibal Bapuli, APP

Mr. Arani Bhattacharyya

...for the State.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations levelled against the petitioner are unfounded. The petitioner married the alleged victim girl on 21st June, 2020 and in support of such contention, he has drawn our attention to a marriage certificate, annexed to the application.

He further submits that upon completion of investigation, charge sheet has also been filed and as such further detention of the petitioner, who is in custody for more than 218 (two hundred eighteen) days, is not warranted.

Mr. Bapuli, learned advocate appearing for the State opposes the petitioner's prayer for bail. He informs that as the officer-in-charge of **Sankrail** Police Station has met with an accident, he is unable to be present today. However, Mr. Souvik Majumder, Sub-Inspector is present.

By an order dated 8th February, 2021, we directed the officer-in-charge of **Sankrail** Police Station to produce the victim girl before this Court today. Pursuant to such direction, the victim girl is present.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to enlarge the petitioner on bail, at this stage.

Accordingly, the application for bail being CRM No.235 of 2021 is dismissed.

The personal appearance of the Sub-Inspector is dispensed with.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

