

08.03.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with **Pukhuria** Police Station Case
Sl.16 **No.266 of 2020** dated **12.08.2020** under Sections
Ct.28 **448/376/323/506** of the Indian Penal Code (G.R. Case **No.1625 of 2020**);

And

In re: Golam Rabbani @ Rabbani

... petitioner.

Mr. Kallol Mondal
Mr. Musharraf Alam

... for the petitioner.

Mr. S.G. Mukherjee, Ld.PP
Mr. P.K. Datta, Ld.APP
Mr. Santanu Deb Roy

...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 alleged incident occurred on 6th June, 2020 and about two months thereafter, an application under Section 156(3) of the Code was preferred and on the basis of an order passed in the same, the complaint was registered as FIR. The victim lady refused medical test. 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 207 days is not warranted.

Mr. Mukherjee, learned public prosecutor appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

We have perused the materials on record, the statement of the victim lady as recorded under Section 164 of the Code. Considering the gravity of the offence, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to

exercise any discretion in favour of the petitioner. As such, the petitioner's prayer for bail is refused at this stage.

Accordingly, the application for bail being CRM No.651 of 2021 is rejected.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)