

**19.03.2021**  
Item No.73  
Ct.No.28  
Subha  
**rejected**

**C.R.M. 919 of 2021**  
**(Via Video Conference)**

**In Re:** An application for bail under Section 439 Cr.P.C in connection with Amta P. S. Case No. 331 of 2020 dated 14-11-2020 under Sections 376D of the Indian Penal Code.

In the matter of : **Dip Bhuniya** ... Petitioner.

Mr. Firdous Samim  
Ms. Gopa Biswas

... For the Petitioner.

Mrs. Zareen N. Khan  
Ms. Sreeparna Das

...for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Amta P. S. Case No. 331 of 2020 dated 14-11-2020 under Sections 376D of the Indian Penal Code.

This is a renewal of the prayer for bail. The earlier application for bail filed by the petitioner was rejected by this Court on 15<sup>th</sup> December, 2020 passed in CRM 9983 of 2020 though the learned advocate appearing for the petitioner submits that the husband of Lakshmi Khan and the

petitioner are related to each other as cousin brother but we find from the finding recorded in the earlier order that there is no relationship with them and, therefore, the perception of the petitioner in this regard is not acceptable.

Considering the gravity of the offence and the statement of the victim lady as recorded under Section 164 of the Code of Criminal Procedure, we do not think that the petitioner should be released on bail. Further, we do not think any changed circumstances after the rejection of the first application for bail warranting a different decision to be taken in this application. Therefore, the prayer for bail of the present petitioner is rejected.

With the aforesaid observations, the application for bail being CRM 919 of 2021 is, accordingly, disposed of.

**(Harish Tandon, J.)**

**(Tirthankar Ghosh, J.)**