

19.07.2021.
Item No.21
(Rejected)
A.J/S.M

(Via Video Conference)

C.R.M. 2812 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.03.2021 in connection with Chandannagar Police Station Case No. 249/2013 dated 22.10.2013 under Sections 376(2)(f)/511 of the Indian Penal.

And

In the matter of : **Karunamoy Mukherjee**

... petitioner.

Mr. Goutam Banerjee,
Mr. Raja Ghosh,

...For the petitioner.

Ms. Sukanaya Bhattacharyya,
Md. Kutubuddin,

...For the State.

A plea has been taken that although the petitioner was enlarged on bail by the Sessions Judge, but because of his inability to appear on three occasions, the bail was cancelled and the petitioner has again been apprehended and is facing custodial trial.

The State opposes the prayer for bail and submits that five witnesses have been examined in the meantime and the case has seen substantial progress.

Though the deposition of the victim has not been produced before us, but we had an occasion to peruse her statement recorded under Section 164 of the Code of Criminal Procedure.

After perusing the aforesaid statement and the gravity of the offence having committed, we do not think it is a fit case where petitioner should be enlarged on bail.

Accordingly, the prayer for bail is rejected at this stage.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)