

04.08.2021

CRM 3655 of 2021

Court No.28
Item No.34
(Rejected)

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In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Garbetha P.S. Case No.298 of 2020 dated 19.08.2020 under Sections 376D/417 of the Indian Penal Code.

And

In the matter of : **Suraj Soren @ Anil Mandi & Ors.**
...Petitioners

Ms. Sreyashee Biswas,
Mr. Navanil De,
Mr. Rajeswar Chakraborty.

...For the Petitioners

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Ms. Faria Hossain,
Ms. Sonali Das.

...For the State.

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Garbetha P.S. Case No.298 of 2020 dated 19.08.2020 under Sections 376D/417 of the Indian Penal Code.

The learned Advocate for the petitioners submits that they have been languishing in jail for 346, 339 and 341 days respectively and even after the charge sheet has been filed, no charges have been framed as yet.

The learned Advocate appearing for the State opposes the prayer for bail and relies upon the statement of the victim lady as well as the identification of the petitioners in T. I. Parade.

After perusing the statement of the victim lady recorded under Section 164 of the Code of Criminal Procedure and that the other petitioners have been identified in T. I. Parade, we do not think that it is a fit case where the petitioners should be enlarged on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

However, we request the learned Judge in the trial court to frame the charge on the next date so fixed and thereafter expedite the trial on the same.

The application for bail, being CRM 3655 of 2021, is thus **dismissed.**

(Harish Tandon, J)

(Bibek Chaudhuri, J.)