

22.11.2021
Serial no. 657
Dd

(Through Video Conference)

CRM 4825 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Khardah** Police Station Case No. **168** of **2017** dated **21.02.2017** under **Sections 376D** of the Indian Penal Code, 1860 corresponding to G.R. No. **3520 of 2017**.

-And-

In the matter of : Asit Bhattacharya @ Mithun Dolui
... ..Petitioner

Mr. D. N. Chatterjee,
Mr. Bimal Sil, Advocates
... .. For the Petitioner
Mr. Saibal Bapuli, Id. APP
Mr. A. Bhattacharyya, Advocates
... ..For the State

This is the second instance that the petitioner is seeking release on bail.

It is submitted by the learned advocate for the petitioner that the petitioner is in custody above four years without advancement in the trial. It is made to understand that three witnesses have been examined but the victim lady is yet to be examined.

Learned advocate for the State submits the case diary including the memo of evidence.

Having heard learned advocates for the parties and in consideration of the statements of the victim lady recorded under Section 164 of the Criminal Procedure Code, we are not inclined to grant bail to the petitioner.

Prayer for bail is rejected.

CRM 4825 of 2021 is **dismissed**.

(Krishna Rao, J.)

(Shivakant Prasad, J.)