

24.09.2021
Serial no. 09
Dd

(Through Video Conference)

CRM 6211 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure filed on **8th September, 2021** in connection with **Kotwali** Police Station Case No. **329** of **2021** dated **04.04.2021** under **Section 376(D)** of the Indian Penal Code, charge sheeted under sections 376D/306 of the Indian Penal Code, being charge-Sheet No. 480 of 2021 dated 12/06/2021.

-And-

In the matter of : Babai Biswas & Ors.Petitioners

Mr. Bikash Ranjan Bhattacharya, Id. sr. adv.
Mr. Siddhartha Sankar Mandal, Advocates
... .. For the Petitioners

Ms. Faria Hossain
Ms. Baisali Basu, Advocates
... ...For the State

Petitioners seek bail.

Learned senior advocate appearing for the petitioners submits that the petitioners were falsely implicated. He submits that the police submitted charge sheet on June 12, 2021 and, therefore, further detention of the petitioners is not required.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 161 and to the statement of the victim lady made before the Doctor who examined her, as also to the medical report. She submits that the petitioners ravished the victim lady. She came back and informed her husband and out of shame she put herself on fire.

Learned senior advocate appearing for the petitioners submits that the victim lady went voluntarily with the

petitioners. He submits that the husband of the victim lady did not protest.

Considering the materials in the case diary, particularly, the statements of the victim lady made before the police and the statements recorded under Section 161 of the Criminal Procedure Code and the medical report including the writing in the medical report of the Doctor and since the victim lady named all the petitioners as the perpetrators of the crime, we are not inclined to grant bail to the petitioners.

CRM 6211 of 2021 is **dismissed**.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)