

27.09.2021
Serial no.10
Aloke
Ct. No.29

(Through Video Conference)

CRM 6283 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 15.09.2021 in connection with Harishchandrapur Police Station Case No. 781 of 2016 dated 13.12.2016 under Sections 363/365/366A/368/109 of the Indian Penal Code.

And

In the matter of : Kafi @ Abdul Kafi

... ..Petitioner

Mr. Santanu Mukhrejee, Advocate

... .. For the Petitioner

Mr. Saibal Bapuli, Id. APP

Mr. Bibaswan Bhattacharya, Advocate

... ..For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that there was a relationship between the petitioner and the victim girl. The victim girl refused medical examination. He submits that since the police submitted charge-sheet further detention of the petitioner is not required.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure of the victim girl. He also draws the attention of the Court to the medical report. He submits that the victim girl refused medical examination. He however draws the attention of the Court to the fact that the incident is of December 12, 2016 and that the police could arrest the petitioner only on June 28, 2021.

Considering the statement recorded under Section 164 of the Code of Criminal Procedure and considering the conduct of the petitioner subsequent to the recording of the first information report, we are not inclined to grant bail to the petitioner.

CRM 6283 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)