

03.11.2021

Court No.8
Item No.27
(Rejected)

Saswata/Ab

CRM 7003 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 25.10.2021 in connection with Habra Police Station Case No. 907 of 2016 dated 03.11.2016 under Sections 376D/384 of the Indian Penal Code;

And

In the matter of : **Dilip Brahma @ Mona.**

...Petitioner

Md. Abdulla Gazi.

...For the Petitioner

**Mr. Rana Mukherjee,
Mr. Provas Bhattacharya.**

... For the State

The application for bail is made on the ground that the petitioner did not participate in the actual offence and was standing outside the door / gateway of the said premises where the incident occurred.

Counsel for the State submits that the offence committed was heinous and demonic and the victim was mercilessly tortured by the accused persons.

This Court is not inclined to detail the incident since it is already contained in the charge-sheet.

It is submitted by the State that a 14-year-old boy has identified the petitioner that he was in fact present at the scene of the crime.

In that view of the matter and the given the gravity of the offences and charges framed, the application for bail stands rejected.

(Rajasekhar Mantha, J.)

(Kesang Doma Bhutia, J.)

