

05.02.2021
Court No.28
rpan /29

C.R.M. 10780 of 2020

(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Gazole Police Station Case No.232 of 2020 dated 04.06.2020 under Sections 376(D)/109 the Indian Penal Code.

And

In re: **Milon Roy**

- Petitioner

Mr. Kazi M. Rahman

... for the Petitioner.

Ms. Faria Hossain,

Ms. Baisali Basu

... for the State

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. Upon completion of investigation, charge-sheet has also been filed and as such, further detention of the petitioner, who is in custody for 244 days, is not necessary.

The learned advocate appearing for the State submits that the application for bail preferred by a co-accused has already been rejected by a co-ordinate Bench of this Court on 1st December, 2020. Overt act has been attributed to the petitioner and the materials would disclose the direct involvement of the petitioner in the alleged offence.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure and the extent of complicity of the

petitioner in the alleged offence, we are not inclined to grant bail to the petitioner at this stage and the application for bail, being CRM 10780 of 2020, is accordingly, rejected.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)