

28.01.2021  
Item no.11  
Court No.28  
Avijit Mitra

C.R.M.10797 of 2020 (via video conferencing)

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Palashipara Police Station Case No.227 of 2020 dated 25.08.2020 under Sections 341/376/370/34 of the Indian Penal Code;

And

**In Re : Patai Mallick**

.... petitioner

Mr. Kallol Mondal,  
Mr. Amanul Islam

....for the petitioner

Ms. Zareen N. Khan,  
Mr. M.F.A. Begg

..... for the State

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The victim lady accompanied the petitioner to Bangalore. About a month after returning from Bangalore, she filed an application under Section 156(3) of the Code of Criminal Procedure. There is no incriminating material on record against the petitioner. In view thereof, further detention of the petitioner, who is in custody for 155 days, is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the earlier order passed by the coordinate Bench of this Court on 10<sup>th</sup> November, 2020 refusing the petitioner's prayer.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to enlarge the petitioner on bail at this stage.

Accordingly, the application for bail being C.R.M.10797 of 2020 is rejected.

**(Tirthankar Ghosh, J.)**

**(Tapabrata Chakraborty, J.)**