

15.03.2021.
12.
mb
(Rejected).

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

CRM 304 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.10.2020 in connection with Sessions Case No. 34 of 2020 corresponding to Sessions Trial No. 02 (09) 2020 arising out of Mathabhanga Police Station Case No. 26 of 2020 dated 13.01.2020 under Sections 376(1)/376(2)(1) of the Indian Penal Code,

In the matter of : Nandura Barman

... Petitioner.

Ms. Suman Sehanabis Mandal,
Ms. Arpita Saha

...for the Petitioner

Ms. Aditi Shankar Chakraborty,
Mr. Sagnik Sankar Sikdar

.....for the State.

Heard learned counsel appearing for the parties.

It is submitted by learned counsel for the petitioner that it does not appear from the relevant medical reports and the statements of the alleged eye-witnesses that the offences alleged against the petitioner were committed by him at all. It is further submitted that since the petitioner is already in custody for 442 days and charge sheet has been filed after investigation, further detention of the petitioner is not necessary.

However, learned counsel for the State submits that the victim girl was disabled, being deaf and dumb and, as such, for the ends of justice, the petitioner ought not to be released on bail.

Being dissatisfied with the grounds made out in the application, the prayer for bail is rejected at this stage.

Accordingly, C.R.M. 304 of 2021 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)