

07.01.2022.
Sl 45.
Court no.29
BP

C.R.M. (DB) 37 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with SPL ST 32/20 arising out of Bhangore Police Station Case No. 388/2019 dated 11.07.2019 under Sections 376(3) 376D/506 of the Indian Penal Code.

In the matter of : Rahim Molla.

...Petitioner.

Mr. Shashanka Shekhar Saha

..for the petitioner.

Mr. Sudip Ghosh

Mr. Bitasok Banerji

...for the State.

It is submitted on behalf of the petitioner that his name has not transpired in the statement of the victim recorded under Section 164 CrPC. He is in custody for 30 days.

Learned lawyer for the State opposes the prayer for bail and submits that the petitioner was named by the victim in his statement recorded under Section 161 Cr.PC as well as in the contemporaneous injury report. He had absconded for a considerable period of time.

We have considered the materials on record. Allegations involve gang rape of the victim. The name of the petitioner appears in the contemporaneous injury report as well as in the statement of the victim before the police.

In view of the gravity of the offence and the fact that the petitioner had absconded for a considerable period of time, we do not consider it prudent to enlarge him on bail at this stage.

Accordingly, the prayer for bail is rejected.

(Bibhas Ranjan De, J.)

(Joymalya Bagchi, J.)