

28.01.2022
Serial no.101

Aloke
Ct. No. 29

(Through Video Conference)

CRM (DB) 86 of 2022

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 06.01.2022 in connection with Pandua Police Station Case No. 376 of 2021 dated 06.09.2021 under Sections 448/509/376(1)/324 of the Indian Penal Code.

-And-

In the matter of : **Tapash Singh**

... ..Petitioner

Mr. Palash Bapari, Advocate

... .. For the Petitioner

Ms. Z. N. Khan, Advocate

Md. Kutub Uddin, Advocate

... .. For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 135 days. The petitioner was falsely implicated. He submits that the Court should take into consideration the medical report.

Learned Advocate appearing for the State submits that the petitioner used to tease the victim prior to ravishing her. The victim is a widow with two children. The victim was ravished in presence of one of the children. He draws the attention of the Court to the contents of the statement recorded under Section 164 of the Code of Criminal Procedure of the victim and that of the child of the victim.

The statements recorded under Section 164 of the Code of Criminal Procedure of the victim and the child of the victim corroborates each other and implicate the petitioner squarely. There is injury report of the victim establishing physical assault if nothing else.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

Consequently, CRM (DB) 86 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)