

02.02.2022  
Serial no.63

Aloke  
Ct. No. 29

**(Through Video Conference)**

**CRM (DB) 148 of 2022**

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 13.01.2022 in connection with Kashipur Police Station Case No. 141 of 2021 dated 31.03.2021 under Sections 376(2)(n)(3)/447/323/325/354/506/34 of the Indian Penal Code and Section 6 of the POSCO Act.

-And-

In the matter of : **Alamgir Sardar**

**... ..Petitioner**

Mr. Angshuman Chakraborty, Advocate

Mr. Ashutosh Mandal, Advocate

... .. For the Petitioner

Mr. Swapan Banerjee, Advocate

Ms. Purnima Ghosh, Advocate

... .. For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 250 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. He submits that there is a huge discrepancy between the statements made by the de facto complainant the victim in the first information report and the statement recorded under Section 164 of the Code of Criminal Procedure.

Learned Advocate appearing for the State draws the attention of the Court to the medical report under Section 164 of the Code of Criminal Procedure of the victim.

Considering the statement made by the victim recorded under Section 164 of the Code of Criminal Procedure and considering the medical report which prima facie appears to corroborate her statement, we are unable to grant bail to the petitioner.

Consequently, CRM (DB) 148 of 2022 is rejected.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**