

56 24.03.2022
(AD) Court No.29
(Rejected)

C.R.M. (DB) 445 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hogolberia** P.S. Case No.**277 of 2021** dated **28/11/2021** under Sections **376(2)(i)(I)** of Indian Penal Code, 1860.

And

In the matter of: Mintu Roy @ Utpal

....petitioner.

Mr. Atis Kumar Biswas
Mr. Amit Singh
Ms. Jyoti Agarwal

...for the petitioner.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 147 days. The police submitted charge sheet and, therefore, further detention of the petitioner is not required. He submits that several doctors examined the victim and at no stage was the incident corroborated nor was the petitioner named.

Learned Advocate appearing for the State submits that there are statements recorded under Sections 161 and 164 of the Code of Criminal Procedure implicating the petitioner. The motorcycle belonging to the petitioner was seized from the spot. The petitioner is guilty of ravishing a lady who was mentally

challenged.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, we are unable to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

C.R.M. (DB) 445 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)