

17.02.2022
Sl. 33
Court No.29
sourav
(Rejected)

C.R.M. (DB) 459 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **11.02.2022** in connection with **Raiganj** P.S. Case No. **813** of **2017** dated **15.11.2017** under Sections **493/376/326/307** of the Indian Penal Code.

And

In the matter of: **Rejaul Haque @ Rejaul Hossain @ Rejaul Hussain**

....petitioner.

Mr. Jisan Iqubal Hossain

...for the petitioner.

Mr. Saswata Gopal Mukherji

Mr. Partha Pratim Das

Mrs. Manasi Roy

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The victim and the petitioner are major. The petitioner is in custody over seven months. He submits that there is a change of stance of the victim from the contents of the First Information Report, her statement recorded under Sections 161 and 164 of the Criminal Procedure Code.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement recorded under Section 164 of the Criminal Procedure Code.

In her statement recorded under Section 164 of the Criminal Procedure Code, the victim claims that the petitioner ravished her and thereafter, threw her out on a train track.

Considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 459 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

