

04.03.2022

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Ct. No. 29
KAUSHIK
REJECTED

C.R.M. (DB) 607 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hanskhali** Police Station Case No. **304** of **2020** dated 10.07.2020 under Sections 447/506/323/354B/326/34 of the Indian Penal Code, 1860 and adding Section 313 of the Indian Penal Code, 1860.

And

In Re : Sadhan Halder & Anr.

..... petitioners

Ms. Sananda Bhattacharya

....for the petitioners

Mr. Saibal Bapuli

Mr. Bibaswan Bhattacharya

....for the State

Petitioners renew the prayer for bail.

Learned advocate appearing for the petitioners draws the attention of the Court to the various facets of the case. She submits that, the petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary and to the order dated December 7, 2021 passed in CRM 5683 of 2021, by which the earlier prayer for bail of the petitioner was rejected.

The last order of rejection is dated December 7, 2021 where the Co-ordinate Bench records that the statement of the victim is corroborated by the medical evidence. It states that the victim was brutally assaulted by the petitioners and as a result of which, the victim suffered miscarriage.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the fact that there is hardly any change in circumstances subsequent to the order dated December 7, 2021, we are unable to grant bail to the petitioners.

In such circumstances, prayer for bail of the petitioners is rejected and the application being CRM (DB) 607 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)