

11.03.2022
Sl. 45
Court No.29
sourav
(Rejected)

C.R.M. (DB) 622 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **01.03.2022** in connection with **Gazole** P.S. Case No. **577** of **2019** dated **07.12.2019** under Section **448/376D/327/506/34** of the Indian Penal Code.

And

In the matter of: **Tarak Mandal**

....petitioner.

Ms. Minoti Gomes

...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 is in custody for 138 days. The police filed charge-sheet and, therefore, further detention of the petitioner is not required. The petitioner was falsely implicated in view of a fight taking place between the petitioner and the husband of the defacto complainant. She highlights the time lapse between the incident and the lodgment of the complaint.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code and to the Medical Examination Report of the victim.

Considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code and considering the Medical Examination Report of her which tends to corroborate her statement, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 622 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

