

59 21.03.2022  
(AD) Court No.29  
(Rejected)

**C.R.M. (DB) 765 of 2022**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kakdwip** P.S. Case No.**12 of 2022** dated **18/01/2022** under Section **376 D** of the Indian Penal Code.

And

In the matter of: Kinkar Mondal

....petitioner.

Mr. Souma Subhra Ray

...for the petitioner.

Mr. S. S. Imam  
Mr. S. Kundu

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner highlights the period of detention of the petitioner and submits that since the police submitted charge sheet, further detention of the petitioner is not required.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal procedure. He also submits that the petitioner was identified in the Test Identification Parade. He further draws the attention of the Court to the medical report.

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure narrates an incident of ganged rape. There she states that she will be able to identify

the persons involved. In the T.I. Parade she identifies the petitioner as one of the persons participating in the incident. The medical report of the victim corroborates her statement so far as the incident is concerned.

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 grant bail to the petitioner.

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

**C.R.M. (DB) 765 of 2022** is dismissed.

**(Debangsu Basak, J.)**

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