

25.03.2022
cm/ct 28
sl no. 37

C.R.M.(DB) 812 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Haripal P.S Case No. 245 of 2020 dated 12.09.2020 under Section 363/366/376(2)(n)/384/295A/298/506/120B of the Indian Penal Code.

And

Rejected

In Re : Anggur Sk. @ Angur Sk.

..... petitioner

Ms. Amrita Tewari

..... for the petitioner

Mr. Arunavo Ganguly

... for the De-facto complainant

Mr. Rudradipta Nandy

..... for the State

Petitioner renews his prayer for bail. He submits that the victim is a major lady and had a love affair with the petitioner. As they belong to different religions, petitioner has been falsely implicated in the instant case. It is contended allegations of forcible abduction and rape are patently absurd.

Learned lawyer for the State opposes the prayer for bail. He submits that the victim was drugged and abducted. Thereafter, she was forcibly ravished and compelled to change her religion and enter into matrimony with the petitioner. Minor sister of the victim was also molested by the petitioner.

Learned lawyer for the de-facto complainant also opposes the prayer for bail.

We have considered the materials on record. Statement of the victim does not disclose that she had friendly relationship with the petitioner. On the other hand, she states that she was forcibly abducted and raped. Prayer for bail of the petitioner was rejected

earlier and he does not stand on the same footing with co-accuseds who are on bail. In view of the aforesaid facts and as the vulnerable witnesses i.e. the victims have not been examined in court as yet, we are not inclined to grant bail to the petitioner at this stage.

The application being CRM(DB) 812 of 2022 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)