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(AD)

29.03.2022

Court No.29

(Rejected)

C.R.M. (DB) 835 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Khanakul** P.S. Case No.**166 of 2019** dated **25/06/2019** under Sections **341/342/376/506** of the Indian Penal Code (corresponding to G.R. Case No.692 of 2019) and Charge Sheet submitted vide Charge Sheet No.341 of 2021 dated 08.10.2021 under Sections 342/376(2)(n)/506 of the Indian Penal Code.

And

In the matter of: Ashim Pramanik

....petitioner.

Mr. Suman Chakraborty

...for the petitioner.

Mr. Ranabir Ray Chowdhury

Mr. Mainak Gupta

... for the State.

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 68 days. The police submitted charge sheet and, therefore, further detention of the petitioner is not required. He submits that the First Information Report was lodged pursuant to an order passed under Section 156(3) of the Code of Criminal Procedure. He highlights the delay between the incident and the lodgment of the First Information Report.

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.

The victim is a lady of 19 years of age. She is married to a different person. On a statement recorded under Section 164 of the Code of Criminal Procedure, she states that the petitioner

initially abducted her and confined her in a room where she was ravished. Offensive photographs of the victim were taken and circulated. The petitioner circulated such offensive photographs amongst the matrimonial family members of the victim also.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the charges are yet to be framed, we are unable to grant bail to the petitioner.

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

C.R.M. (DB) 835 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)