

C.R.M. (DB) 898 of 2022

06.04.2022
Sl. 34
Court No.29
sourav
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Ranaghat** Police Station Case No. **54** of **2022** dated **29.01.2022** under Section **376(2)(i)/511** of the Indian Penal Code.

And

In the matter of: **Goutam Pandey**

....petitioner.

Ms. Sananda Bhattacharyya

...for the petitioner.

Mr. Debabrata Chatterjee

Mr. Santanu Chatterjee

...for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that the victim is deaf and dumb. She refers to the statement of the victim recorded under Section 164 of the Criminal Procedure Code. She submits that the petitioner is not named in the statement recorded under Section 164 of the Criminal Procedure Code.

Considering such contentions, on the previous date, request was made to the learned advocate for the State to place the materials in the case diary as to how the petitioner is sought to be implicated in the present case.

Learned advocate appearing for the State submits a report dated April 6, 2022 which be taken on record. He refers to the statement recorded under Section 161 of the Criminal Procedure Code where the petitioner is implicated. In such statement, such person claims that the victim gestured him that the present petitioner was involved.

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) 898 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

