

C.R.M. (DB) 1286 of 2022

17.05.2022
Sl. 77
Court No.29
sourav
(Rejected)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Gangarampur** Police Station Case No. **372** of **2021** dated **17.09.2021** under Section **376D** of the Indian Penal Code, 1860.

And

In the matter of: **Asraful Mia @ Madan & Anr.**

....petitioners.

Mr. Jayanta Narayan Chatterjee
Mr. Supreem Naskar

...for the petitioners.

Ms. Faria Hossain
Mr. Anand Keshari

...for the State.

Petitioners pray for bail.

Learned advocate appearing for the petitioners submits that the petitioners are in custody for 240 days. The police filed charge-sheet and, therefore, further detention of the petitioners are not required. The petitioners are falsely implicated. One of the co-accused is already on bail.

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.

In her statement, the victim squarely implicates both the petitioners in the incident.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary including the statement of the victim recorded under Section 164 of the Criminal Procedure Code, we are unable to grant bail to the petitioners.

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

C.R.M. (DB) 1286 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

