

14.06.2022
cm/ct 28
sl no. 45

C.R.M.(DB) No. 1648 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Hogalberia P.S Case No. 277 of 2021** dated **28.11.2021** under Sections **376(2)(j)(I)** of the Indian Penal Code.
And

Rejected

In Re : Mintu Roy @ Utpal

..... petitioner

Mr. Sekhar Basu, Id. Sr. Adv.
Ms. Saryati Dutta
Mr. Dipangshu Basu

..... for the petitioner

Mr. Neguive Ahmed, Id. A.P.P.
Ms. Ayantika Roy

..... for the State

Petitioner renews his prayer for bail. He is in custody for 200 days. It is contended that medical evidence does not support the allegation of forcible rape.

Learned lawyer for the State opposes the prayer for bail

We have considered the materials on record including statement of witnesses implicating the petitioner in the rape of a mentally challenged women. Incriminating articles including bloodstained wearing apparels have also been seized.

In view of the aforesaid materials on record, gravity of the offence and as his prayer for bail was rejected in March, 2022, we are not inclined to grant bail to the petitioner at this stage.

The application being CRM(DB) No. 1648 of 2022 is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)