

04.07.2022.
19.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2111 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Uttarpura P.S. Case No.134 of 2022 dated 21.04.2022 under Sections 376D/354C/328/506/34 of the Indian Penal Code.

In the matter of : Akash Jana @ Jena & Ors.

... Petitioners.

Mr. Dipanjan Chatterjee,
Ms. Puja Kar,
Mrs. Sudakshina Dey.

...for the Petitioners.

Ms. Amita Gaur,
Mr. Sayan Datta.

...for the State.

Heard the learned Advocates appearing for the parties.

Petitioners are in custody for about 73 days. It is submitted there is delay in lodging the first information report. It is further submitted no evidence with regard to objectionable pictures being taken in the mobile phone of the co-accused has been produced before the court below.

Learned Advocate for the State opposes the prayer for bail. She submits petitioners had invited the victim to a party and committed rape on her after spiking her drink with intoxicants. She was threatened that her objectionable pictures would be uploaded in a social network site. Further investigation with regard to retrieval of objectionable pictures from the seized mobile of the co-accused is continuing.

We have considered the materials on record. Victim girl has implicated the petitioners in the crime. She has explained

the delay in lodging the first information report. Further investigation with regard to retrieval of objectionable pictures from the mobile of co-accused is continuing.

In view of the aforesaid circumstances, we are not inclined to grant bail to the petitioners at this stage.

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

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)