

08.07.2022
Sl. No.35
akd
[Rejected]

C. R. M. (DB) 2187 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.07.2022 in connection with Kakdwip Police Station Case No. 12 of 2022 dated 18.01.2022 under Section 376D of the Indian Penal Code. (G.R. Case No.117 of 2022)

And

In Re: ***Kingkar Mondal @ Kinkar Mondal***

... .. Petitioner

Mr. Ayan Basu
Mr. Sandip Kumar Mondal
Mr. Sumit Routh

... .. for the petitioner

Ms. Zareen N. Khan
Mr. Ashok Das
Ms. Trina Mitra

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 78 days. It is further submitted petitioner was released on bail which was subsequently cancelled. It is also submitted there is variation in the statements of the victim recorded under Sections 161 and 164 of the Code of Criminal Procedure.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of the victim recorded under Sections 161 and 164 of the Code of Criminal Procedure substantially corroborate each other with regard to the role of the petitioner in the gangrape. He was also identified by the victim during Test Identification Parade. In view of the aforesaid incriminating materials and gravity of the offence, we are not inclined in granting bail to the petitioner at this stage.

The application for bail is thus **rejected**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

