

28.07.2022
Sl. No.26
akd
[Rejected]

C. R. M. (DB) 2410 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.07.2022 in connection with Rahara Police Station Case No. 209 of 2022 dated 21.06.2022 under Sections 376/325 of the Indian Penal Code. (G.R. Case No.5789 of 2022)

And

In Re: **Joy Prasad Mahato**

... .. Petitioner

Mr. Debasis Kar
Mr. Husen Mustafi
Mr. Arka Tilak Bhadra

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor
Mr. Parthapratim Das
Mrs. Manasi Roy

... .. for the State

Pursuant to our earlier direction, Investigating Officer is personally present before the court. His presence is noted and dispensed with at present.

It is submitted on behalf of the petitioner that he is in custody for about 38 days. It is further submitted petitioner has been falsely implicated in the instant case.

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

We have considered the materials on record including the injury report showing injuries on the victim. Injury report also discloses a history of vomiting which probabalises a case of administration of deleterious substance to her. Keeping in mind the gravity of the offence and the aforesaid incriminating materials on record, we are of the opinion this is not a fit case to grant bail to the petitioner at this stage.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

