

28.07.2022.
64.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 2509 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Harishchandrapur P.S. Case No.549 of 2022 dated 07.07.2022 under Sections 448/376/509/506 of the Indian Penal Code.

In the matter of : Md. Dulal.

... Petitioner.

Mr. Kaustav Bagchi,
Mr. Debayan Ghosh,
Ms. Priti Kar.

...for the Petitioner.

Mr. Prasun Kr. Dutta, ld. A.P.P..

...for the State.

Mr. Sourav Mukherjee.

...for the de-facto complainant.

Heard the learned Advocates appearing for the parties.

Petitioner prays for bail.

Learned Advocate for the State opposes the prayer for bail.

De-facto complainant appears and states that the matter has been settled.

We have considered the materials on record. First information report discloses a case of forcible rape. Rape is a non-compoundable offence. Hence, there is no question of compounding the offence. But de-facto complainant appears in the bail proceeding and submits matter has been settled which gives rise to an impression of ominous influence on a vital witness.

In view of the materials on record and the aforesaid circumstances, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected at this stage.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)