

10.08.2022
tkm/ct 28
sl no. 44

C.R.M. (DB) 2696 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Datan PS case no. 218/2022 dated 6.6.2022 under sections 498A/323/307/376/494/506/509/34 IPC and Sections 3/4 of the DP Act.

And

In Re : Sk Mohammad Habibur & Anr. petitioners

Mr Malay Bhtacharyya

Mr. Pradip Paul

Mr. S Ghosh

Ms. S Mondal

..... for the petitioners

Mr. Debabrata Chatterjee

Mr. Mousumi Sarkar

..... for the State

Mr. Tirthankar Murmu

..... for the de facto complainant

Petitioner is in custody for 64 days. It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case.

Learned layer for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner no. 2, father in law of the victim lady, subjected her to sexual assault. Thereafter, her husband that is petitioner no. 1 herein attempted to strangle her. Statement of the victim is corroborated by the notings in the medical papers.

In view of the aforesaid facts and nature of offence, we are not inclined to grant bail to the petitioners at this stage.

Accordingly, the prayer for bail is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)