

CRM No.8485 of 2021

Via video conference

31.01.22

(S.R.)

Sl.18

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Dhubulia** Police Station Case No.240 of 2021 dated 04/08/2021 under Sections 326A/506 of the Indian Penal Code;

And

In re: Abhijit Ghosh @ Sudhanya Ghosh

... petitioner.

Ms. Karabi Roy

... for the petitioner.

Mr. Narayan Prasad Agarwala

Ms. Subhsree Patel

...for the State.

Ms. Roy, learned advocate appearing for the petitioner submits that the petitioner had already suffered long incarceration for about 176 days and there is no possibility towards conclusion of the trial in the near future. She further submits that the petitioner has been falsely implicated. There are inconsistencies in the contents of the complaint and the statement of the victim lady, as recorded under Sections 161 and 164 of the Code. In the said conspectus, the petitioner may be enlarged on bail on any stringent condition.

Mr. Agarwal learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim lady, as recorded under Sections 161 and 164 as well as her statement before the doctor. He also draws our attention to the injury report and the seizure list.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, there are strong incriminating materials in the case diary against the petitioner. Considering the seriousness of the offence and the extent of his complicity in the alleged offence, we are not inclined to exercise discretion in his favour and as such, his prayer for

bail is refused at this stage.

The application for bail being CRM No.8485 of 2021 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)