

07.02.2022

Court No.32

rpan / 18

CRM 8719 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Bapi Das**

- Petitioner

Mr. Subrata Saha

... for the Petitioner.

Mr. Bivas Chatterjee,

Mr. Santanu Denuhuri

... for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Balurghat Cyber Police Station Case No. 09 of 2020 dated 28.08.2020 under Sections 493/ 376/ 354D/ 503/506/ 509/ 34 of the Indian Penal Code read with Sections 67/67A of the Information Technology Act, 2000.

Mr. Saha, learned advocate appearing for the petitioner submits that there was a love relationship between the petitioner and the victim lady. The allegations levelled against the petitioner are unfounded. He had already suffered long incarceration for a period of 525 days and in the said conspectus, further detention may not be warranted and he may be enlarged on bail on any stringent condition.

Mr. Chatterjee, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as recorded under Section 161 of the

Code as well as the statement of the victim girl as recorded under Section 164 of the Code. He submits that there are strong incriminating materials on record against the petitioner and in view thereof, he is not entitled to the relief as prayed for.

Heard the learned advocates and considered the materials in the case diary.

Prima facie, we find materials in the case diary which clearly reveal the direct involvement of the petitioner in the alleged offence. Considering the gravity of the offence, the nature of accusations and the possible extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour. As such, his prayer for bail is rejected at this stage.

Accordingly, the application for bail, being CRM 8719 of 2021, is 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.)