

CRM No.8899 of 2021

Via video conference

07.02.22

(S.R.)

Sl.54

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Manikchak** Police Station Case No.377 of 2021 dated 25/09/2021 under Sections 323/325/376(2)(M) of the Indian Penal Code (G.R. Case No.5233 of 2021);

And

In re: Sk. Mojiful @ Mojibar @ Sekh Majeful ... petitioner.

Ms. Minoti Gomes

... for the petitioner.

Mr. Narayan Prasad Agarwala

Ms. Subhasree Patel

...for the State.

Ms. Gomes, learned advocate appearing for the petitioner submits that the allegations levelled against the petitioner are unfounded. He has already suffered incarceration for more than 4 months. Upon completion of investigation charge sheet has been submitted and as such, the petitioner may be enlarged on bail on any stringent condition.

Ms. Patel, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim girl, as recorded under Section 164 as well as the injury reports.

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

Prima facie, there are strong incriminating materials on record against the petitioner. Considering the gravity of the offence, its ramifications and the 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 refused at this stage.

The application for bail being CRM No.8899 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.)