

12.09.2022

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rejected

C.R.M.(DB) No. 3084 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Tamluk Police Station Case No. 316 of 2020 dated 24.06.2020 under Sections 498A/376/506/34 of the Indian Penal Code.

And

In Re : Rabindranath Mondal petitioner

Mr. Amal Krishna Samanta

... for the petitioner

Mr. Debabrata Chatterjee, learned APP

Mr. Santanu Chatterjee

... for the State

Petitioner renews his prayer for bail.

Learned Counsel appearing for the petitioner submits he has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for bail and draws our attention to the DNA report which shows the petitioner is the biological father of the child born to the victim who was alleged to be sexually assaulted by him.

We have considered materials on record including the statement of the victim. Her statement with regard to rape is supported by the DNA report placed before us. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

