

29.09.2022

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rejected

C.R.M.(DB) No. 3370 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Women's Police Station Case No. 99 of 2022 dated 29.04.2022 under Sections 448/376D/120B/506 of the Indian Penal Code.

And

In Re : Sumit Karmakar @ Jhantu petitioner

Md. Abdur Rakib

....for the petitioner

Ms. Faria Hossain

Mr. Anand Keshari

..... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 133 days. It is also submitted that allegation of gang rape is out and out false. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered materials on record and statement of the victim under Section 164 of the Code of Criminal Procedure. Her statement prima facie implicates the petitioner in the offence of gang rape.

Under such circumstance and in view of gravity of the offence, 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.)