

13.10.2022

Vacation Bench
SL No.69
S.B/s.biswas

C.R.M. (DB) 3603 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Hanskhali** P.S. Case No. **171/2022** dated **01.03.2022** under Section **376D** of the Indian Penal Code.

And

In the matter of: **Bappa Biswas and another**

....Petitioners

Mr. Asraf Mandal

...for the Petitioners

Mr. Saswata Gopal Mukherjee, Id. PP

...for the State

It is submitted on behalf of the petitioners that their names are not appearing from the statements of the victim recorded under Section 164 of the Code of Criminal Procedure. They pray for bail.

Learned counsel for the State opposes the prayer for bail of the petitioners.

We have considered the materials on record. Statement of the victim recorded under Section 164 of the Code of Criminal Procedure cannot be seen in isolation. Reading the statement along with other materials on record including First Information Report show involvement of the petitioners in the crime.

Under such circumstances, we are not inclined to grant bail to the petitioners.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)