

31.10.2022.
37.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3762 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagar P.S. Case No. 399 of 2021 dated 12.12.2021 under Sections 365/342/376D/506/34 of the Indian Penal Code.

In the matter of : Jhantu Das.

... Petitioner.

Mr. Avik Ghatak,
Mr. Fahad Imam.

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan.

...for the State.

Petitioner renews his prayer for bail. He submits there is delay in lodging the first information report. Present case is a counterblast to a earlier case lodged against the de-facto complainant-victim and others. Allegation of gang rape is out and out false.

Learned Advocate for the State opposes the prayer for bail and submits bail prayer of the petitioner was rejected earlier.

We have considered the materials on record. Statement of the victim recorded under Section 161 of the Code of Criminal Procedure implicates the petitioner in the gang rape. Trial is in progress and the victim is yet to be examined. There is possibility that the victim may be subjected to undue influence and coercion if the petitioner is released on bail at this stage.

In view of the aforesaid circumstances, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner is rejected.

(Partha Sarathi Sen,J.)

(Joymalya Bagchi, J.)