

09.11.2022
tkm/ct 28
sl no.45

C.R.M. (DB) 3905 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Raiganj Police Station Case No. 1005/2021 dated 4.11.2021 under Section 376(D) of the Indian Penal Code

And

In Re : Kalu Sarkar petitioner

Mr. P S Deb Barman

Mr. S Alam

..... for the petitioner

Mr. Shiladitya Banerjee

..... for the State

Petitioner renews his prayer for bail. It is submitted there is no progress in the matter since rejection of bail by this court.

Learned lawyer for the State opposes prayer for bail and submits co-accused was absconding. Hence, trial could not commence.

We have considered the materials on record. Statement of the victim implicates the petitioner in the offence of gang rape. Delay in the matter is due to abscondence of co-accused. Hence, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)