

23.11.2022
Sl. No.33
akd
[Rejected]

C. R. M. (DB) 4070 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.09.2022 in connection with Amta Police Station Case No. 331 of 2020 dated 14.11.2020 under Section 376D of the Indian Penal Code.

And

In Re: **Sk. Saidul**

... .. Petitioner

Mr. Bikash Ranjan Bhattacharyya .. Sr. Advocate
Mr. Firdous Samim
Ms. Gopa Biswas

... .. for the petitioner

Mr. P. K. Datta
Mr. Santanu Deb Roy

... .. for the State

It is submitted on behalf of the petitioner that he participated in a demonstration against the husband of the victim lady, who was accused of rape. In retaliation, he and others were falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail and submits bail prayer of co-accuseds viz. Deep Bhuiya @ Dip Bhuiya and Subhasish @ Sona Kha have been turned down by this court. Date has been fixed for recording prosecution evidence.

We have considered the materials on record. Bail prayer of co-accuseds viz. Deep Bhuiya @ Dip Bhuiya and Subhasish @ Sona Kha was turned down by this court. Date has been fixed for recording of prosecution evidence. Vulnerable witness is yet to be examined. At this stage, we do not consider it prudent to release the petitioner on bail.

The application for bail is thus **rejected**.

Petitioner is at liberty to renew his bail prayer upon examination of vulnerable witness, if so advised.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

