

23.11.2022
Sl. No.35
akd
[Rejected]

C. R. M. (DB) 4077 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.11.2022 in connection with Sankrail Police Station Case No. 465 of 2021 dated 22.04.2021 under Section 376(1) of the Indian Penal Code.

And

In Re: ***Bapi Mondal @ Rabin***

... .. Petitioner

Mr. Sataroop Purukayastha
Ms. Jagriti Bhattacharyya

... .. for the petitioner

Mr. Binay Panda
Ms. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for over 500 days. It is further submitted petitioner has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail and submits date has been fixed for recording of prosecution evidence.

We have considered the materials on record. Allegations involve rape of a seventy year old lady. She has not been examined as yet. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

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.)

