

19.12.2022.
29.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4446 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalyani P.S. Case No.441 of 2022 dated 04.08.2022 under Section 376(2)(j)/(2)(I)/(2)(n) of the Indian Penal Code.

In the matter of : Raju Biswas.

... Petitioner.

Ms. Sananda Bhattacharyya.

...for the Petitioner.

Mr. Shiladitya Banerjee.

...for the State.

Petitioner is in custody for 136 days. She submits there is inordinate delay in lodging the first information report. Investigation is complete. She prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits victim is suffering from mental disability. She became pregnant.

We have considered the materials on record. Victim is suffering from partial mental disability. Statement of the victim shows she had been repeatedly ravished. As a result, she became pregnant. Due to her condition, there was delay in lodging the first information report.

Under such circumstances and in view of the gravity of the offence affecting a vulnerable victim, we are not inclined to grant bail to the petitioner.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)