

08.07.2022.

Item No. 14

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (DB) No. 215 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 04.07.2022 in connection with Tufanganj Police Station Case No. 826 of 2021 dated 06.12.2021 under Sections 448/376/506 of the Indian Penal Code.

And

In the matter of: **Sri Chiranjit Roy.** ...petitioner

Mr. Kalipada Das. ...For the petitioner

Mr. Abhijit Sarkar,
Ms. Namrata Das.For the State

Bail is sought in the instant case and charge-sheet has been filed.

It is submitted by the Counsel for the petitioner that his client is in custody for about 174 days. It is argued that the medical report does not find any injury on the victim's body. It is also submitted that the allegations in the charge-sheet that the petitioner threatened the victim with knife is also incorrect and not supported by the statement of 164 Code of Criminal Procedure.

Having considered the entire case diary and heard the Counsels for the State and the petitioner, this Court finds that the medical report also indicates that the allegation of sexual assault cannot be ruled out in the instant case.

There are other materials available in the case diary and charge-sheet that this Court does not wish to comment upon at this stage as it may prejudice the parties in the trial.

In view of the facts as aforesaid, the prayer for bail of the petitioner is rejected at this stage.

Trial be expedited and the Trial Judge shall complete the trial as expeditiously as possible.

C.R.M. (DB) No. 215 of 2022 is, thus, dismissed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)