

31.01.2023
Sl. No.32
akd
[Rejected]

C. R. M. (DB) 354 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.01.2023 in connection with Kakdwip Police Station Case No.12 of 2022 dated 18.01.2022 under Section 376D of the Indian Penal Code.

And

In Re: ***Rabi Das***

... .. Petitioner

Ms. Subhasree Patel
Mr. Saikat Mondal

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than 350 days. It is further submitted the allegations of gang rape are false.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Bail prayer of the petitioner was lastly rejected in August, 2022. Subsequently, prayer for bail of co-accused viz. Kingkar Mondal @ Kinkar Mondal was rejected in September, 2022. Vulnerable witness is yet to be examined. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)