

03.04.2023

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rejected

C.R.M. (DB) No. 1313 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ranaghat Women Police Station Case No. 157 of 2022 dated 22.12.2022 under Sections 376/506 of the Indian Penal Code.

And

In Re : Gobindo Das alias Biswas alias Gobinda petitioner

Mr. Angshuman Chakraborty

Mr. S. S. Saha

... for the petitioner

Mr. Shiladitya Banerjee

... for the State

Learned Counsel for the petitioner submits he is in custody for 92 days. Investigation is complete. It is also alleged that there is contradiction between the statements of the victim recorded under Sections 161 and 164 of the Code of Criminal Procedure respectively. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Statements of the victim recorded during investigation under Sections 161 and 164 of the Code of Criminal Procedure respectively substantially corroborate each other with regard to the complicity of the petitioner. Minor contradiction with regard to presence of the sister of the victim at the place of occurrence would not erode the credibility of the version of a victim of

gender violence. 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.)