

25.07.2023

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rejected

C.R.M. (DB) No. 2949 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 914 of 2022 dated 24.11.2022 under Section 376(D) Indian Penal Code.

And

In Re : Abdul Salam Sk. @ Edbahar Khan petitioner

Mr. Debabrata Roy
Ms. Karabi Roy

... for the petitioner

Mr. Shiladitya Banerjee

... for the State

Learned Counsel for the petitioner submits he is in custody for 81 days. It is also submitted that he is not the principal accused. There is no injury on the body of the victim. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner had kidnapped the victim and she was thereafter ravished by co-accused. Keeping in mind the nature of offence and the role played by the petitioner in the crime 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.)

