

12.09.2023.
30.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3449 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Khayrasole P.S. Case No.50 of 2023 dated 12.06.2023 under Sections 376(2)(L)/511 of the Indian Penal Code.

In the matter of : **Sekh Ali Mohammad @ Sk. Ali Mahammad.**

... Petitioner.

Mr. Kunal Ganguly.

...for the Petitioner.

Mr. Joydeep Roy, Jr. Govt. Adv.,
Ms. Sujata Des.

...for the State.

1. Petitioner submits he has been falsely implicated. Victim had not named him in the course of investigation. He prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits victim is a deaf and dumb lady. During further investigation, her statement has been recorded before Magistrate. Date for T. I. Parade examination has been fixed on 19th September, 2023.

3. We have considered the materials on record. A deaf and dumb lady was raped. Pursuant to direction given by this Court further investigation has commenced and her statement has been recorded with the aid of an interpreter. Date for identification of the petitioner has been fixed on 19th September, 2023.

4. In view of the gravity of offence and as further investigation is in progress, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)