

15.09.2023.
33.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3600 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Baishnabnagar P.S. Case No.402 of 2023 dated 20.06.2023 under Sections 417/376/323/34 of the Indian Penal Code.

In the matter of : **Sentu Sk. @ Soud Sk.**

... Petitioner.

Ms. Minoti Gomes,
Kazi M. Rahman.

...for the Petitioner.

Mr. Atif Ahmed Siddiqui.

...for the State.

1. Petitioner submits there was a romantic relationship between the parties and he has been falsely implicated. He is in custody for 86 days. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer. He submits lady is a victim of gang rape. Medical opinion supports her allegation.
3. In response, it is submitted FIR does not disclose a case of gang rape.
4. We have considered the materials on record. Statement of the victim shows petitioner and another had forcibly committed rape on her. Her statement is corroborated by the findings in the medical report. In the medical papers, history of the crime discloses rape by two persons.
5. In view of the aforesaid materials and gravity of offence, we are not inclined to grant bail to the petitioner.
6. Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)