

18.09.2023

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rejected

C.R.M.(DB) No. 3627 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chanchal Police Station Case No. 96 of 2022 dated 27.01.2022 under Sections 341/376D of the Indian Penal Code.

And

In Re : Utpal Das

.... petitioner

Mr. Mrityunjoy Chatterjee

Mr. Imdadul Hoque

Mr. Debapriya Majumder

....for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Soumik Ganguli

..... for the State

1. Learned Counsel for the petitioner submits he was not identified during test identification parade. He renews his bail prayer.

2. Learned Counsel for the State opposes the prayer for bail and submits victim had been subjected to gang rape.

3. We have considered the materials on record. Victim had been abducted and subjected to gang rape. She has not been examined in Court. Under such circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajoy Kumar Mukherjee, J.)

(Joymalya Bagchi, J.)