

10.10.2023

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C.R.M. (DB) No. 3730 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raiganj Police Station Case No. 366 of 2023 dated 07.04.2023 under Sections 363/365 of the Indian Penal Code.

And

In Re : Murtuj Alam @ Murtuj Ali @ Golam Murtuzapetitioner

Mr. Kaushik Choudhury
Ms. Busra Khatun
Mr. G. Das

..... for the petitioner

Mr. Saswata Gopal Mukherji, learned PP
Mr. Aniket Mitra
Ms. Jonaki Saha

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for 140 days. Investigation is complete. He prays for bail.
2. Learned Counsel for the State opposes the prayer for bail.
3. We have considered the materials on record including the statement of the minor. Her statement shows that the petitioner had kidnapped and raped her repeatedly. In view of the aforesaid incriminating materials and as vulnerable witness is yet to be examined we are not inclined to grant bail at this stage.
4. Application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)