

11.01.2023.
29.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 4634 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kakdwip P.S. Case No.132 of 2019 dated 30.06.2019 under Sections 363/366/34 of the Indian Penal Code and charge sheet submitted under Sections 363/366 of the Indian Penal Code and adding Section 370(4) of the Indian Penal Code.

In the matter of : Samir Ranjan Das @ Samir.
... Petitioner.

Mr. Ayan Basu,
Mr. Sandip Kr. Mondal,
Mr. Sumit Routh,
Ms. Riya Das.
...for the Petitioner.

Mr. Saswata Gopal Mukherji, Id. P.P.,
Mr. Rudradipta Nandy, Id. A.P.P.,
Md. Anwar Hossain,
Ms. Ratna Ghosh.
...for the State.

Pursuant to our earlier order, Special Superintendent, CID is present in person. He submits report and the same is placed on record. His presence is noted and dispensed with.

From the report it appears the subsequent statement of the victim recorded under Section 164 of the Code of Criminal Procedure relates to a different case. It was inadvertently kept in the Case Diary of this case.

We have considered the materials on record. Statement of the victim recorded under Section 164 of the Code of Criminal Procedure implicates the petitioner. Keeping in mind the aforesaid incriminating fact and gravity of the offence, we are not inclined to grant bail to the petitioner at this stage.

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

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)