

27.02.2023

Sl. No.119

akd

[Rejected]

IN THE HIGH COURT AT CALCUTTA

Circuit Bench at Jalpaiguri

C. R. M. (DB) 118 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.02.2023 in connection with Naxalbari Police Station Case No. 178 of 2006 dated 24.12.2006 under Section 376(2)(f) of the Indian Penal Code. (G.R. Case No.1239 of 2006)

And

In Re: **Anup Kumar Minj**

... .. Petitioner

Mr. Arunava Paul

... .. for the petitioner

Mr. Aditi Sankar Chakraborty .. Id. Addl. Public Prosecutor

Mr. Sagnik Sankar Sikdar

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than four years.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Petitioner had absconded for more than a decade. Victim has not been examined as yet. In view of the conduct of the petitioner and as vulnerable witness has not yet been examined, we are not inclined to grant bail to the petitioner at this stage.

The application for bail is thus **rejected**.

Trial court is directed to examine the victim at the earliest.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)

