

12.05.2023
Court No.1
(sb 22)

CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

CRM(DB) 235 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Jalpaiguri Women Police Station Case No. 04 of 2023 dated 24.01.2023 under Section 376(2)(1) of the Indian Penal Code, 1860, corresponding to G.R. Case No. 360 of 2023

And

In the matter of: **Amjad Ali**

.**Petitioner.**

Mr. Sayan De
Ms. Esha Acharya

... For the Petitioner.

Mr. Tapan Bhattacharji
Ms. Sukanya Adhikary

... For the State.

Although the petitioner is in custody for about 106 days, however, considering the victim to be mentally challenged, there is every likelihood that the victim and her family members may be intimidated by the accused, if enlarged on bail. There is also likelihood of tampering with the evidence.

Considering these facts, we are not inclined to grant bail to the petitioner at this stage.

Accordingly, CRM (DB) 235 of 2023 is dismissed.

(Ananya Bandyopadhyay, J.)

(Arindam Mukherjee, J.)