

11.07.2023
Item no.21
Court No.1.
AB
(Rejected)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (DB) No. 378 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Dhupguri Police Station Case No.363 of 2018 Dated 21.10.2018 under Section 376D/376(2)(m)/326/307 of the Indian Penal Code

And

In the matter of : Ratnu Munda Petitioner.

Mr. Jaydeep Kanta Bhowmick,
Mr. Sayantan Bhowmick,
Ms. Rikta Sarkar for the Petitioner.

Mr. A. S. Chakraborty, ld. APP
Mr. Subhasish Misra for the State.

The petitioner says that he is in custody since 2018. He has been falsely implicated. He has no role to play in the alleged incident.

The prosecution case is that the petitioner committed rape on the victim and thereafter inserted an iron rod into her vagina.

We have seen the material on record. The allegations are serious and prima facie find support from the statements of witnesses including that of the victim lady recorded under Section 164 Cr.P.C.

We are told that trial is in progress. Learned Advocate for the petitioner says that the progress in trial is very very slow.

On an overall assessment of the material on record and the nature and gravity of the alleged offence, we are not inclined to allow the prayer of the petitioner.

The prayer for bail is rejected.

CRM (DB) No.378 of 2023 is dismissed.

However, considering the period of detention of the petitioner, we direct the learned Trial Court to expedite the trial as much as possible and bring the same to its logical conclusion at the earliest and preferably within a period of one year from the date of communication of this order.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)