

08.12.2023

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rejected

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M.(DB) No. 688 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pundibari Police Station Case No. 34 of 2023 dated 18.01.2023 under Sections 365/376D/323/109 of the Indian Penal Code.

And

In Re : Rakhi Roy @ Ray @ Rakhi petitioner

Mr. Gobinda Ghosh
....for the petitioner

Mr. Nilay Chakraborty
Mr. Sagnik Sankar Sikder
..... for the State

1. Learned Counsel for the petitioner submits he is in custody for 320 days. It is also submitted that the victim is a professional dancer. There was dispute over her remuneration. Thereafter he has been falsely implicated in the offence of rape. 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 victim. She stated she had been taken to Lataguri on the excuse of performing in an event.

Therefrom she was abducted and kept confined in a house. There she was forcibly raped. Her statement is corroborated by other materials on record. Victim is yet to be examined. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

4. Application for bail is, thus, rejected.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)