

04.03.2024
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rejected

C.R.M.(DB) No. 21 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Duttapukur Police Station Case No. 645 of 2021 dated 07.08.2021 under Section 376(2)(1) of the Indian Penal Code.

And

In Re : Mosaref Hossain alias Mosa petitioner

Mr. Angshuman Chakraborty
Mr. S. S. Saha

....for the petitioner

Mr. Binay Kumar Panda
Mr. Asif Dewan

... for the State

1. Heard the learned Counsels for the parties.
2. DNA report submitted on behalf of the State is placed on record.
3. Report shows petitioner is the biological father of the child. Victim is a mentally challenged lady. She was raped by the petitioner.
4. In view of gravity of the offence and incriminating materials on record, we are not inclined to grant bail to the petitioner at this stage.
5. Application for bail is, thus, rejected.
6. Trial court is directed to expedite the trial and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)