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rejected

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pandua Police Station Case No. 291 of 2023 dated 03.06.2023 under Section 376 of the Indian Penal Code.

Ms. Payel Shome
....for the petitioner

1. Learned Counsel for the petitioner submits he has been falsely implicated in the instant case. He is in custody for 227 days. He prays for bail.

3. We have considered the materials on record. Victim suffers from slight mental impairment. Her statement implicates the petitioner in the crime. Vulnerable witness is yet to be examined. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)