

09.05.2024.  
27.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (DB) 1279 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Nakashipara P.S. Case No.148 of 2024 dated 15.02.2024 under Sections 376/323/506/34 of the Indian Penal Code and charge sheet submitted under Section 376 of the Indian Penal Code.

In the matter of : **Muntaz Sk @ Mantaj @ Nadu.**  
... Petitioner.

Mr. Arnab Chatterjee,  
Mr. Amanul Islam,  
Mr. Sourav Mukherjee,  
Ms. Dhanasree Biswas,  
Ms. Poulami Bose.

...for the Petitioner.

Mr. Suman De,  
Mr. Subhajit Chowdhury.

...for the State.

1. Petitioner contends there was prior enmity between the petitioner and the family members of the victim. He has been falsely implicated. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer.

3. In spite of notice nobody appears for the victim.

4. We have considered the materials on record including the statement of the minor. She states that she was forcibly raped by the petitioner. Her statement is corroborated by other witnesses. Immediately after the incident, she was taken to hospital. History of assault noted in the medical records discloses the incident of rape. Victim is yet to be examined.

5. Under such circumstances, we are not inclined to grant bail to the petitioner at this stage.

6. Accordingly, the prayer for bail of the petitioner is rejected.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**