

57.
Court
No.28

10.06.2024

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1641 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Tehatta Police Station Case No. 329 of 2023** dated **26.04.2023**.
And
In the matter of: - **Rajesh Gain @ Raj**

...petitioner.
Mr. Debarshi Brahma, Adv.
...for the petitioner.

Mr. Sujoy Sarkar, Adv.
...for the State.

The charge is under Sections 354C/306 of the Indian Penal Code. The petitioner says that he has been falsely implicated. He has no connection with the alleged suicide committed by the victim lady. He is in custody for 370 days. Evidence is in the process of being recorded. His further detention is not necessary.

Learned Counsel for the State opposes the prayer for bail. He draws our attention to the material in the case diary including the suicide note left behind by the victim girl. The victim girl appears to have clearly stated that she was being driven to kill herself by the conduct of the present petitioner who used to blackmail her after taking indecent pictures and videos of her.

On an overall assessment of the material on record and the *prima facie* incriminating evidence against the petitioner, we

are not inclined to allow this application for bail at this stage.
The prayer for bail is hereby rejected.

However, the petitioner has been in incarceration for quite some time. We are told that the first witness out of twelve witnesses is being examined. We request the learned Trial Judge to expedite the trial as much as possible and conclude the same at the earliest, preferably within a period of six months from the date of a copy of this order being placed before the learned Judge.

The application being CRM (DB) 1641 of 2024 is accordingly disposed of.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)