

CRM (DB) 2139 of 2024

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Pukhuria Police Station** Case No. **236 of 2024** dated **16.05.2024** under Sections **448/376/506/34** of Indian Penal Code.

- A n d -

In the matter of : Md Rafik @ Rafik Ali

.... Petitioner.

Mr. Abdur Rakib,
Mr. J. Alam Majhi,

... For the Petitioner.

Mr. Binoy Kr. Panda,
Mr. D. Saha,

... For the State.

The petitioner says that he is in custody for 38 days. He prays for bail.

We have seen the material on record including the statement of the victim girl who clearly implicates this petitioner and another accused person of raping her. Investigation is going on. Charge sheet has not been filed.

In view of the *prima facie* incriminating material against the petitioner and since the investigation is not complete, we are not inclined to allow the petitioner's prayer for bail.

CRM (DB) 2139 of 2024 is, thus, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)