

11. 23.12.2024  
Court  
No.29 (Pritam)  
(Rejected)

IN THE HIGH COURT AT CALCUTTA  
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 4134 of 2024

In Re: - An application of bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: - **Rabiul Khan.**

.....petitioner.

Mr. Koushik Gupta, Sr. Adv.  
Mr. Sattik Rout

...for the petitioner.

Ms. Minoti Gomes,  
Mr. Asraf Ahamed

....for the *de-facto*.

Ms. Faria Hossain, Ld. APP.,  
Ms. Baishakhi Chatterjee

....for the State.

**Dictated by Partha Sarathi Sen, J.**

1. The supplementary affidavit as filed today on behalf of the petitioner is taken on record.
2. It is pointed out on behalf of the State that on the last occasion, the State was represented but the names of the learned advocates for the State were not recorded. Let the names of the learned advocates of the State being, Ms. Faria Hossain & Ms. Baishakhi Chatterjee be incorporated in the order dated December 17, 2024.
3. It is submitted on behalf of the petitioner that considering the fact that the present accused-petitioner's wife *Sabnam Khatun* is

in advanced stage of pregnancy, the instant application for bail may be considered favourably. Prayer for bail is opposed on behalf of the State.

4. Learned advocate for the State draws attention of ours to the statement of the victim as recorded under Section 164 Cr.P.C. as well as the medical examination report.
5. It is further submitted that charge-sheet has already been submitted.
6. Prayer is also opposed on behalf of *de-facto* complainant.
7. On perusal of the materials as placed before us, we find that the allegation as made out in the FIR gets due support from the statement of the victim as recorded so far. Considering the grievous nature of the crime, we are not inclined to allow the prayer for bail.
8. The prayer for bail is, thus, **rejected**.

**(Arijit Banerjee, J.)**

**(Partha Sarathi Sen, J.)**