

09.01.2024

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rejected

C.R.M.(DB) No. 47 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ashoknagar Police Station Case No. 1149 of 2022 dated 14.12.2022 under Sections 328/376 of the Indian Penal Code.

And

In Re : Saukat Mal @ Saogad Mal Petitioner

Mr. Uday Sankar Chattopadhyay

Ms. Trisha Rakshit

Ms. Rajashree Tah

Ms. Aishwarya Datta

....for the petitioner

Mr. Sanjib Kumar Dan

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for one year and twenty days. It is also submitted that he has been falsely implicated in the case. He renews his bail prayer.

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

3. We have considered the materials on record. Petitioner is a mendicant. He had administered medicine to the victim and thereafter raped her. Vulnerable witnesses are yet to be examined. Bail prayer of the petitioner has been rejected earlier. Under such circumstances, we are not inclined to grant bail to the petitioner.

4. The application for bail is, thus, rejected.

5. Trial court is directed to examine the victim at the earliest.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)