

16.01.2024
as/tkm/ct 28
sl no. 39

C.R.M. (DB) 4842 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Santipur PS case no. 186 of 2022 dated 5.3.2022 under sections 376D/363/366/34 IPC

And

In Re : Madhusudan Ghosh

....petitioner

Mr. Arindam Jana

Mr. S Das

Mr. P P Sinha

..... for the petitioner

Mr. Swapan Banerjee

Ms. Seema Biswas

..... for the State

1. Petitioner is in custody for 706 days. He submits he has been falsely implicated in the case. Co-accused are on bail. He prays for bail.

2. Learned lawyer for the State contends petitioner had forcibly married the victim to his mentally retarded son. Thereafter he sexually exploited her. His bail prayer was rejected earlier on merits.

3. We have considered the on record. Petitioner is the principal accused. He made the victim marry with his retarded son and sexually exploited her. His bail prayer has been rejected earlier on merits. Victim is yet to be examined.

4. Under such circumstances we are not inclined to grant bail to the petitioner and his prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)