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12-11-2024
(ct. no.01)
S. De
(Rejected)

**THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM (DB) No. 514 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

**In the matter of : Dinabandhu Roy @ Dinabandhu
Roy Barman.**

.....Petitioner.

Mr. Debanjan Das,

.....for the Petitioner.

Ms. Rima Sarkar,
Mr. Dhruva Saha,
Ms. Suparna Paul,

...for the de facto complainant.

Mr. Ujjwal Luksom,
Ms. Namrata Das,

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. There is a property dispute between the petitioner's family and the family of the victim girl. Therefore, this false complaint has been lodged. Chargesheet has been submitted upon completion of investigation. He is in custody for about 130 days. His further custodial detention is unnecessary.
2. Opposing the prayer for bail, learned State advocate and learned advocate for the de facto complainant draw our attention to the material in the case diary.

3. We have seen the deposition of the victim girl recorded under Section 164 Cr.P.C. as also the medical examination report. The victim girl squarely implicates the petitioner. The medical report also says that sexual assault cannot be ruled out.
4. On an overall assessment of the prima facie incriminating material-on-record and the possible extent of complicity of the petitioner in the alleged offence and also considering the gravity and nature of the offence, we are not inclined to grant bail to the petitioner, at this stage.
5. CRM (DB) 514 of 2024 is dismissed.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)