

29.07.2022

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rejected

C.R.M. (DB) No. 2530 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Balagarh Police Station Case No. 292 of 2021 dated 28.09.2021 under Section 376(2)(n) of the Indian Penal Code and charge-sheet submitted under Section 376(2)(n)/506 of the Indian Penal Code.

And

In Re : Manik Karmakar petitioner

Mr. Prasenjit Debnath

... for the petitioner

Mr. S. S. Imam

Mr. R. Jana

... for the State

Learned Counsel appearing for the petitioner submits that petitioner is in custody for 301 days. It is further submitted that he has been falsely implicated in the instant case.

Learned Counsel appearing for the State opposes prayer for bail.

We have considered the materials on record including statement of the victim recorded under Section 164 of the Code of Criminal Procedure. Statement of the victim prima facie discloses role of the petitioner in compelling her to sexual intercourse by claiming to cure her son through supernatural powers.

In view of the aforesaid incriminating materials on record, we are not inclined in granting bail to the petitioner at this stage.

The application for bail is, thus, rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)