

Present :- Sri Kallol Kumar Das, Vacation Judge, Cooch Behar (J.O. Code –WB00668).

Order No.02 dated 15-10-2022

Today is fixed for hearing of this Criminal Misc. Case.

This is an application u/s-439 Cr.P.C. filed by the petitioner namely **Mampi Barman** praying for bail in connection with Kotwali P.S. Case No. 1065/2021 dated 05-11-2021 u/s-363/365 of the I.P.C. adding section 376(D)/370 I P C corresponding to G.R. Case No. 1739/2021.

Ld. Advocates for both sides are present.

The Misc. Case is taken up for hearing.

Received the L.C.R. and the C.D.

At the outset, Ld. Advocate for the petitioner submits that no application for bail of the petitioner had either been rejected by the Hon'ble Court or is pending for disposal before the Hon'ble Court.

Ld. Advocate for the petitioner draws my attention to the affidavit relating to such fact.

Ld. P.P.-in-charge also submits that there is no indication in the case diary which goes to suggest that prayer for bail of the accused petitioner had either been rejected by the Hon'ble Court or is pending before the Hon'ble Court for disposal.

Heard both sides.

Ld. Advocate for the accused petitioner submitted that the present accused is in custody since 08.09.2022.

It is stated that the present accused petitioner is not at all involved in this case.

Ld. P.P opposes for bail and given emphasis upon the statement recorded U/s 164 of Cr.P.C.

It shows that the present accused petitioner is very much involved in this case who has been revealed subsequently i.e. after recovery of the victim.

Having regards the facts and circumstances, I am not inclined to release the accused persons on bail. Accordingly, prayer for bail of the accused petitioners is considered and **rejected**.

The Misc. Case is hereby disposed of.

C.D. and L.C.R. be returned at once.

Dictated & Corrected by,

Sd/-
Vacation Judge,
Cooch Behar.

Sd/-
Vacation Judge,
Cooch Behar