

22.09.2020
D.L. No.21
Bpg.
Rejected.

**CRM 6341 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tufanganj Police Station Case No.150 of 2020 dated the 16.03.2020 under Sections 493/376(2)(n)/109 of the Indian Penal Code,1860.

And

In the matter of: **Rana Dakua.**

...Petitioner.

Mr. Hillol Saha Podder

...for the Petitioner.

Mr. Nilay Chakraborty
Mr. Aniruddha Biswas

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that the petitioner had an amorous relationship with the survivor, but her parents have declined the petitioner's request to marry the survivor.

The State refers to the statement of the survivor recorded under Section 164 of the Code. It appears that the survivor was persuaded to have a sexual relationship with the petitioner herein on the petitioner's promise to marry her. The statement also records that when the survivor revealed to the petitioner that she was pregnant, the petitioner was no longer interested in the survivor.

Though the petitioner says that there was no medical evidence of the survivor being pregnant, based on the statement of the survivor and the fact that the petitioner may have evaded arrest

being a considerable period of time, the present prayer cannot be acceded to.

However, it will be open to the petitioner to seek regular bail after surrendering.

CRM 6341 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)