

24-09-2020
Subha
Item no.31
Bail rejected.

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

C.R.M. No. 6754 of 2020

Laxmi Hari
-vs-
The State of West Bengal
With
CRAN No. 1 of 2020
(Via Video conference)

In Re: An application for anticipatory bail under **Section 438 CrPC** apprehending arrest in connection with Kotwali P.S. Case No.587 of 2020 dated August 17, 2020 under Sections 376/120/326B of the Indian Penal Code.

Mr. Amanul Islam

....for the petitioner.

Mr. Sudip Ghosh
Mr. Apurba Kumar Dutta

....for the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within one month of resumption of normal functioning of the court. The petition is taken up through video-conference on the basis of such undertaking. Accordingly, CRAN No.1 of 2020 is disposed of.

The learned advocate for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case.

The learned advocate for the petitioner further submits that none of the allegations for which the sections of the Indian Penal Code which have been inserted in the first information report had applied in respect of the present petitioner.

The learned advocate for the State opposes the prayer for anticipatory bail and draws the attention of this court to the report of the medical examination of the victim submitted by the Medical Officer(Gynecologist, District Hospital, Nadia). The medical report so submitted reflects that the offences complained of are heinous in nature and the complicity of the present petitioner is there along with the another offender.

Having considered the nature and gravity of the offence, we are not inclined to extend the benefit of anticipatory bail of the present petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

The application for anticipatory bail being CRM 6754 of 2020 is disposed of.

[Tirthankar Ghosh, J]

[Sahidullah Munshi, J]

