

04.12.2020

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Sws M
Ct. No.11

CRM 7564 of 2020
IA No. CRAN 1 of 2020

(Via Video Conference)

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Baruipur Police Station Case No. 2113 of 2019 dated 15/09/2019 under Sections 376/506 of the Indian Penal Code.

And

In the matter of : **Chittaranjan Das @ Kedo**

..... Petitioner

Mr. Suman De

.... for the Petitioner

Mr. S.S. Imam
Mr. Subrato Roy

...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.

Learned Advocate for the petitioner submits that the petitioner has been falsely implicated in the case and he is innocent of the charges. He further submits that the incident was reported after about thirteen days. Learned Advocate further draws the attention to the statement under Section 164 of the Code of Criminal Procedure, statement of some of the witnessess recorded by the Investigating Officer under Section 161 of the Code of Criminal Procedure as also certain medical documents.

We have perused the case diary and we find that the victim happens to be mentally retarded as opined by the medical team associated with a government hospital.

Having considered the nature of allegations, we do not find that this is fit case for extending the privilege of anticipatory bail to the petitioner.

Accordingly the prayer for anticipatory bail stands **Rejected**.

With these observations, CRM 7564 of 2020 is disposed of.

The Investigating Officer of the case is present in Court today. His further appearance before this Court is dispensed with.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)