

25.02.2021
Court No.28
rpan /14
(Via Video Conference)

C.R.M. 8314 of 2020
with

CRAN 1 of 2020

In Re: - Application for anticipatory bail under Section 438 of
the Code of Criminal Procedure.

AND

In Re : **Uttam Mondal**

...Petitioner.

Mr. Atis Kumar Biswas,
Mr. Amit Singh

....for the petitioner

Mr. Imran Ali,
Mr. M.F.A. Begg

....for the State.

The petitioner undertakes to affirm and stamp the
petition/application as per Rules within 48 hours from date.
Subject to such undertaking, the application is taken up for
hearing. The application, being CRAN No. 1 of 2020 is,
accordingly, disposed of.

Apprehending arrest in connection with Tehatta Police
Station case no.62 of 2020 dated 12.02.2020 under Sections
376/420 of the Indian Penal Code, the petitioner has filed the
present application.

Mr. Biswas, learned advocate appearing for the petitioner
submits that the petitioner has been falsely implicated on the
basis of a complaint, which was directed to be treated as FIR on
an application under Section 156(3) of the Code. The victim lady
is a married woman having children and the allegations levelled

against the petitioner are absolutely unfounded and as such, custodial interrogation of the petitioner is not necessary.

Mr. Begg, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim lady recorded under Section 164 of the Code of Criminal Procedure.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that the petitioner is not entitled to the privilege of anticipatory bail.

Accordingly, the application for anticipatory bail, being CRM 8314 of 2020, is rejected.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)