

20.11.2020.

Item No. 52

ap

**C.R.M. 8762 of 2020
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.11.2020 in connection with Berhampore Police Station Case No. 620 of 2020 dated 29.06.2020 under Sections 376/370/372/373/120B of the Indian Penal Code and Sections 3/4/5/7 of the Immoral Traffic (Prevention) Act and Sections 4/8/12/17 of the Protection of Children from Sexual Offences Act.

And

In the matter of: Sudipta Chowdhury. ...Petitioner

Mr. Jisan Iqbal Hossain. ...For the petitioner

Mr. Pradipta Kumar Ganguly.For the State

Pursuant to the order dated November 12, 2020, the Inspector-in-charge of Berhampore Police Station has filed a report dated November 19, 2020.

The report refers to a written declaration by one Shanker Lal Adhikary who claims to be the owner of Sangi Hotel (formerly called Adhikary Hotel) who rented the property to the petitioner, Sudipta Chowdhury from August 1, 2017 to July 31, 2022 at a rent of Rs.10,000/- per month. It also appears that one Santu Chakraborty has provided electricity connection to Sudipta Chowdhury to run Sangi Hotel. The written declaration of Santu Chakraborty has been appended to the report along with the declaration of Adhikary. The report indicates that there is no trade licence issued in the name of any Hotel Sangi and the West Bengal State Electricity Distribution Company Limited has informed the Inspector-in-charge that no electricity connection has been

given to Hotel Sangi. In addition, the report claims that the building which is used as Hotel Sangi may have been constructed on revenue land and may not be owned by even Shanker Lal Adhikary who ran Adhikary Hotel and has let out the building to the petitioner herein.

In the light of such overwhelming material, the petitioner's prayer for anticipatory bail is declined.

Unless the petitioner is able to demonstrate that the matters referred to in the report dated November 19, 2020 are false, the petitioner will not be entitled to obtain bail till the conclusion of the trial.

CRM 8762 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)