

19.01.2021

**Court No.28
rpan / 210**

C.R.M. 223 of 2021

(Via Video Conference)

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure ;

And

In Re : Mia @ Md. Jahangir Mia

....Petitioner.

Mr. Tapan Dutta Gupta,

Mr. Parvej Alam

....for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. Partha Pratim Das,

Mrs. Manasi Roy

... for the State.

Apprehending arrest in connection with Manikchak P. S.
Case No. 225 of 2020 dated 26.08.2020 under Sections
441/376/515/506 of the Indian Penal Code, the petitioner has
filed the present application.

The learned advocate for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in
the instant case and the same, according to the learned
advocate, would be evident from the complaint, being
addressed to the concerned police station after 25 days of the
incident.

Learned Public Prosecutor opposes the prayer and submits
that there were grounds for delay in lodging the FIR. The
learned Public Prosecutor also draws attention of this Court to
the letter of complaint, the Section 164 statement of the
victim as also that of the other witnesses.

We have perused the materials on record and taken into consideration the incriminating materials appearing against the present petitioner. Having regard to the complicity of the present petitioner in the alleged offence, we are not inclined to extend the privilege of anticipatory bail to the present petitioner. As such, the prayer for anticipatory bail is rejected.

The application for anticipatory bail, being CRM 223 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)