

08.02.2021
Court No.28
rpan /173

C.R.M. 404 of 2021
(Via Video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Diamond Harbour P. S. Case No.307 of 2020 dated 01.10.2020 under Section 376AB of the Indian Penal Code and Section 6 of the POCSO Act;

And

In Re : **Entajul Gharami**

....Petitioner.

Mr. Habibur Rahaman,
Mr. Mustafijur Rahaman,
Mr. Partha Sharathi Sen Sharma
....for the Petitioner.

Mr. Abhra Mukherjee,
Mr. Gautam Banerjee
... for the State.

In view of the specific bar provided under Section 438 of the Code of Criminal Procedure in respect of offences involving Section 376AB of the Indian Penal Code, the present application is not maintainable.

As such, the application for anticipatory bail, being CRM 404 of 2021, is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)