

10.02.2021
Item No.237
Ct.No.28
s.d.
rejected

C.R.M. 421 of 2021
(Via Video Conference)

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

And

In the matter of : Sahabuddin @ Md. Sahabuddin
... Petitioner.

Mr. Kaushik Chowdhury
Ms. Busra Khatoon

... For the Petitioner.

Mr. Saswata Gopal Mukherji, Ld. P.P.
Mr. Aniket Mitra

... For the State.

Apprehending arrest in connection with Itahar
Police Station Case No. 400 of 2020 dated 19.11.2020 under
Sections 376/109/120B/34 of the Indian Penal Code read
with Section 4/6 of the POCSO Act, the present application
has been filed.

Learned advocate appearing for the petitioner
submits that there was a love affair between the petitioner
and the daughter of the *de facto* complainant. The petitioner
has been falsely implicated and the allegations levelled

against the petitioner are unfounded. In view thereof, custodial detention of the petitioner is not warranted.

Learned advocate for the State opposes the petitioner's prayer and draws the attention of this Court to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations and the statement of the victim girl recorded under Section 164 of the Code, we are not inclined to grant anticipatory bail to the petitioner.

The application being CRM 421 of 2021 is, accordingly, dismissed.

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.)