

23.02.2021
Court No.28
Item No. 05
Krishnendu
Rejected

CRM 430 of 2021
(Via video Conference)

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

And

In Re : **Noorul Hasan @ Noor Husain**

Petitioner

Md. Habibur Rahman

For the Petitioner

Mr. Sandip Chakraborty

For the State

Apprehending arrest in connection with Goalpokher P.S. Case No. 04 of 2014 dated 03.01.2014 under sections 376/323/366/34 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations do not stand supported with appropriate materials. Upon investigation, charge sheet has also been filed and as such custodial detention of the petitioner is not warranted.

The learned advocate for the petitioner on the previous occasion submitted that the accused and the victim girl are residing together and they have married.

To ascertain the authenticity of such statement, we directed Mr. Chakraborty, learned advocate appearing for the State to submit a report. Pursuant to such direction, a report has been filed. Let the same be kept on record.

It appears from the said report that the victim girl had denied that she had married the petitioner and that they are residing together.

Having heard the learned advocates appearing for the respective parties and considering the materials on record, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to grant anticipatory bail to the petitioner. As such, the prayer for anticipatory bail is rejected.

The application for anticipatory bail, being CRM 430 of 2021 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)