

07.04.2021

Item No.50

Ct.No.28

dc.

Rejected

C.R.M. 640 of 2021

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

And

In Re : **Asgar Ali**

... Petitioner.

Mr. Bitasok Banerjee,
Mr. Biswajit Mitra

... For the Petitioner.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta

... For the State.

Apprehending arrest in connection with Margram P.S. Case No. 128 of 2020 dated 18.10.2020 (G.R. Case No. 1041/2020) under Sections 448/376/511 of the Indian Penal Code, the present application has been preferred.

The case has been initiated against the petitioner on the allegation of outrage of modesty of a woman. According to the petitioner, he has been falsely implicated in connection with the aforesaid case because of the previous animosity.

The learned advocate for the State opposes the prayer for anticipatory bail.

Having perused the statement of the victim lady recorded under Section 164 of the Code of Criminal Procedure and the disclosure made by her, we do not think that the petitioner is entitled to have the privilege of pre-

arrest. Accordingly, the petitioner's prayer for anticipatory bail is **rejected**.

The application for anticipatory bail, being CRM 640 of 2021 is, thus, dismissed.

(Harish Tandon, J.)

(Tirthankar Ghosh, J.)