

21.04.2021

Item No.17

Ct.No.28

dc.

Rejected

C.R.M. 856 of 2021

(Via Video Conference)

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

And

In Re : **Durga Pramanik**

... Petitioner.

Mr. Suman Chakraborty

... For the Petitioner.

Mr. S. G. Mukherji, Ld. P.P.,
Mr. Partha Pratim Das,
Ms. Manasi Roy

... For the State.

Apprehending arrest in connection with Serampore P.S. Case No. 21 of 2021 dated 14.01.2021 under Sections 376(2)(n)/328 of the Indian Penal Code, the present application has been preferred.

The learned advocate appearing for the petitioner submits that the petitioner is innocent. The allegations levelled against him are unfounded. The complaint was lodged about six months after the alleged incident. In the said conspectus, custodial interrogation of the petitioner is not warranted.

Mr. Mukherji, learned Public Prosecutor appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary including

the statement of the victim lady as recorded under Section 164 of the Code.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the statement of the victim lady recorded under Section 164 of the Code, the medical report 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, his prayer for anticipatory bail is **rejected**.

The application for anticipatory bail, being CRM 856 of 2021, is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)