

21.04.2021
Item No.235
Ct.No.28
subha
rejected

C.R.M. 924 of 2021
(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nakashipara Police Station No.548 of 2020 dated 21-10-2020 under Sections 363/365 of the Indian Penal Code.

And

In the matter of : **Rahema Bibi & Ors.** ... Petitioners.

Mr. Prabir Majumder

... For the Petitioners.

Mr. N. P. Agarwala
Mr. Ashoke Das

... For the State.

Apprehending arrest in connection with Nakashipara Police Station Case No. 548 of 2020 dated 21-10-2020 under Sections 363/365 of the Indian Penal Code, the present application has been filed.

Mr. Majumder, learned advocate appearing for the petitioners submits that the present case is a counter-blast to the case initiated at the instance of the family members of the present petitioners. Earlier another case was registered in which the petitioners surrendered and obtained bail. So

far as the present case is concerned, the same has been the foundation of a concocted story with an ulterior motive of wrecking vengeance upon the present petitioners.

Mr. Agarwala, learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the provisions of Section 376 Cr.P.C has been added in course of investigation as there were materials which have surfaced in the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure as well as the medical examination of the victim so conducted.

We have perused the materials on record available in the case diary and the incriminating materials appearing against the three petitioners.

Having regard to the same, we are of the opinion that this is not a fit case for granting the relief of anticipatory bail to the present petitioners and as such, the prayer for anticipatory bail of the present petitioners are rejected.

With the above observations, the application being CRM 924 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)