

18.08.2021
Item no.13.
Court No.32.
AB
(Rejected)

(Via Video Conference)

CRM No. 1247 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 29.1.2021 in connection with Hemtabad Police Station Case No.255 of 2014 Dated 21.05.2014 under Sections 363/370/34 of the Indian Penal Code

And

In the matter of : Abdul Suban @ Subhan Ali

.....Petitioner.

Mr. Shaharayar Alam ...for the Petitioner.

Mr. Swapan Kr. Banerjee,
Ms. Purnima Ghosh ...for the State.

It is submitted on behalf of the petitioner that he has been falsely implicated. Some of the co-accused persons have been granted anticipatory bail as well as regular bail by the learned Trial Court.

The State opposes the prayer for anticipatory bail and refers to the case diary including statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

We have considered the material in the case diary. The statement of the victim recorded under Section 164 of the Code of Criminal Procedure vividly describes her ordeal, which

specifically implicates the petitioner. The petitioner has been absconding since 2014.

Having considered the prima facie involvement of the petitioner in the alleged offence as well as his conduct, we are not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail stands rejected.

C.R.M. No.1247 of 2021 is, accordingly, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)