

34 10.06.2021
S.K/ Ct. No.28
S.M

C.R.M. 2336 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Hanskhali P.S. Case No. 717 of 2020 dated 27.12.2020 under Sections 376/417/506/34 of the Indian Penal Code and Section 6 of Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: Dipti Roy & Anr.

....petitioners.

Mr. Sananda Bhattacharyya

...for the petitioners.

Mr. S. S. Imam,

Mr. S. Das

...for the State.

Anticipatory bail sought by the petitioners on the principal ground that the victim was 17 years of old at the time of incident and that the FIR was lodged after substantial delay.

This Court has seen the case diary and the statements under Section 164 CrPC of the complainant and other witnesses. The petitioners appear to have been involved in the offence but the principal accused participated in the crime and also videographed it for ulterior purposes.

This court is therefore not inclined to grant relief under Section 438 CrPC and the same is hereby dismissed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)