

61. 06.08.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 2517 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **09/03/2021** in connection with **Barasat Women Police Station Case No. 12 of 2021** dated **16/01/2021** under Sections **354A** of the Indian Penal Code read with Section **8** of the POCSO Act.

And

In the matter of: - **Rafikul Ali Biswas**

....petitioner.

Mr. Arnab Chatterjee

...for the petitioner (through V.C.).

Mr. Rana Mukherjee, Ld. A.P.P.,
Mr. Shiladitya Banerjee

...for the State.

The allegation against the petitioner is that he took advantage of lone presence of the victim girl, about 13 years old, in her mother's flat and assaulted her sexually.

The petitioner says that he had a relationship with the victim's mother. It is absolutely false to allege that he, in any manner, sexually assaulted the victim girl.

We have seen the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. The statement is quite vivid and clear.

Investigation is not yet complete. In view of the nature and gravity of the allegation against the petitioner and on an overall assessment of the material in the Case Diary, we are not inclined to allow the petitioner's prayer for anticipatory bail.

Accordingly, the application for anticipatory bail being C.R.M. 2517 of 2021 is **dismissed**.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)