

53.
18-08-2021
(ct. no.32)
ssi
Rejected

(Via Video Conference)

CRM 2742 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gangnapur Police Station** Case No. **31 of 2021** dated **28-02-2021** under Sections **448/376D/325/307** of the Indian Penal Code.

- A n d -

In the matter of : Jahangir Biswas & anr.

.... Petitioners.

Mr. Mahammad Mahmud

Ms. Pinki Das

Mr. Imtiaj Alam

... For the Petitioners.

Ms. Zareen N. Khan

Ms. Sreeparna Dan

... For the State.

The allegation is *inter alia* of gang rape.

The victim lady in her statement recorded under Section 161 of the Code of Criminal Procedure has described the incident as to how the present petitioners barged into her house and raped her in front of her minor son. When she was raped, she raised hue and cry and then the petitioners left.

We have also seen the neighbour's statement wherein it is stated that he came to the victim's place being alerted by the alarm raised by the victim and found the victim in a sorry state. The medical report which is placed before us corroborates the statement of the victim.

The investigation is in progress. We are told that the petitioners are absconding for the last six months. The application for bail is not pressed on behalf of the petitioner no.2, since he has already been taken into custody.

In view of what has been recorded above, we are not inclined to allow the petitioner no.1's prayer for anticipatory bail.

The prayer for anticipatory bail is rejected.

CRM No. 2742 of 2021 is, thus, dismissed.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)