

CRM 2953 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Burdwan Police Station** Case No. **303 of 2020** dated **14.10.2020** under Sections **448/376/511/323/325/506/34** of the Indian Penal Code.

- A n d -

In the matter of : Raju Pal @ Rajyadhar Pal

.... Petitioner.

Mr. M. K. Das,

... For the Petitioner.

Mr. B. Kr. Roy, Sr. Adv,
Mr. S. Banerjee,

... For the State.

The petitioner says that he is a friend of the complainant's parents-in-law. At the request of the family, he introduced a Tantrick to the complainant who stated that he would help the complainant to have a male child. The allegation is that the said Tantrick and the present petitioner committed rape on the complainant.

The petitioner says that he has been falsely implicated. The complainant has been staying away from the matrimonial home. She has filed a case against her in-laws and husband under Sections 498A/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act. There was no scope for the petitioner to introduce any Tantrick to the complainant.

We have seen the statement of the victim lady recorded under Section 164 of the Code of Criminal Procedure. In no certain terms the victim lady describes the incident and that the present

petitioner and the Tantrick violated her after keeping her husband locked in a room.

In view of the nature and gravity of the charge and the *prima facie* incriminating material on record, although charge sheet may have been submitted, we are not inclined to entertain the petitioner's prayer for anticipatory bail.

The prayer for anticipatory bail is rejected.

CRM No. 2953 of 2021 is, thus, dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)