

CRM 3150 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Daulatabad Police Station Case No.22 of 2021 dated 06-02-2021 under Sections 448/376/506 of the Indian Penal Code.

- A n d -

In the matter of : Isad Ali @ Isa @ Md. Esad Ali

.... Petitioner.

Mr. Golam Mostafa,
Mr. Mritunjoy Chatterjee,
Mr. Md. G. N. Imrohi

... For the Petitioner.

Mr. Abhra Mukherjee,
Mr. Gautam Banerjee

... For the State.

Mr. Anisur Rahaman,
Mr. Maidul Islam Kayal

... For the defacto complainant.

The petitioner, about 23 years old, appears to be a neighbour of the victim lady about 45 years old. The allegation is that the petitioner surreptitiously entered into the house of the victim and raped her. The petitioner says that this is completely false. He was involved in no such incident.

We have seen the statement of the victim lady and the statement of her son recorded under Section 161 of the Code of Criminal Procedure. Both of them narrate that the petitioner raped the victim lady at dagger point so that the victim lady could not protest or resist.

Charge Sheet has been submitted. However, in view of the *prima facie* incriminating material against the petitioner in the Case Diary and since he obviously did not cooperate

with the investigation and proved to be elusive, we are not inclined to entertain the petitioner's prayer for anticipatory bail.

The application for anticipatory bail being CRM 3150 of 2021 is, thus, **dismissed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(**Bivas Pattanayak, J.**)

(**Arijit Banerjee, J.**)