

05.10.2021
44
Ct. No. 29
sdas
rejected

C.R.M. 3897 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Hariharpara Police Station Case No. 129 of 2021 dated 02.04.2021 under Sections 448/376/506 of the Indian Penal Code.

And

In Re : Sahin Sk. @ Sahin Mondal petitioner

Ms. Monoti Gomes

.... for the petitioners

Mr. Imran Ali

Mr. Nirupam Dhalil

... for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that there was a love relationship between the petitioner and the de facto complainant. Moreover, she draws the attention of the Court to the time difference between the alleged incident and the lodgement of the first information report. She also submits that since the police submitted charge-sheet further detention of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the medical report and to the statement of the victim lady recorded under Section 164 of the Code of Criminal Procedure and to the statement of a neighbour recorded under Section 161 of the Code of Criminal Procedure.

Considering the materials in the case diary particularly the statement of the victim lady recorded under Section 164 of

the Code of Criminal Procedure and the statement of a neighbour recorded under Section 161 of the Code of Criminal Procedure, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM 3897 of 2021 is dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)