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(AD) 11.11.2021

Court No.29

(Rejected)

C.R.M. 4408 of 2021
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **30.06.2021** in connection with **Kushmandi** P.S. Case No. **34 of 2021** dated **20/04/2021** under Sections **376D/506** of the Indian Penal Code, 1860.

And

In the matter of: - Momenur Rahaman @ Maminur Rahaman &
Ors.
...petitioners.

Mr. Mazahar Hossain Chowdhury
...for the petitioners.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
Mr. Apurba Kumar Datta
...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure of the victim lady and to the medical report. He submits that the victim lady explained the delay on the ground that she was administered sedatives.

Considering the materials in the case diary and considering the statement recorded under Section 164 of the Code of Criminal Procedure and the injury report, we are unable to grant anticipatory bail to the petitioners.

Accordingly, the prayer for anticipatory bail, C.R.M. 4408 of 2021, is rejected.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)