

07.12.2021
Court No.32
Item No. 176
Krishnendu
Dismissed

CRM 4829 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Pukhuria Police Station Case No. 55 of 2021 dated 16.02.2021 under sections 448/376 of the Indian Penal Code.

And

In re: **Md. Moktar @ Muktaraul Hoque**

...Petitioner

Mr. Sagar Saha

... For the Petitioner

Ms. Zareen N. Khan

Mr. Mirza Firoz Ahmed Begg

...For the State

The learned advocate appearing for the petitioner submits that the petitioner is the driver of the *de facto* complainant's father and he has been falsely implicated. The allegations are in the abstract and in the said conspectus, custodial interrogation of the petitioner is not necessary.

The learned advocate appearing for the State, opposes the petitioner's prayer and draws our attention to several documents in the case diary, including the statement of the victim lady, as recorded under section 164 of the Code of Criminal Procedure.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the gravity of the offence, the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour, more so when investigation is still continuing.

The application for anticipatory bail, being CRM No. 4829 of 2021, is, accordingly, dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)