

CRM 5049 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dholahat Police Station** Case No. **93 of 2021** dated **07.03.2021** under Sections **377/201/506/120B** of the Indian Penal Code.

- A n d -

In the matter of : Tahera Khatun & Ors.

.... Petitioners.

Mr. R. S. Chattopadhyay,
Mrs. P. Shome,
Mr. M. Kapat,

... For the Petitioners.

Mr. P. Dutta,
Mr. S. Banerjee,

... For the State.

The allegation is that the petitioners who are all associated with the residential school where the victim was studying, actively tried to conceal/suppress the offence allegedly committed by the prime accused, one Samsul Haque, under Section 377 of the Indian Penal Code. The victim is less than 11 years old. The prime accused allegedly had unnatural sex with him. Then the petitioners threatened the boy not to divulge the incident to anybody and administered medicine on him. In a nutshell the petitioners allegedly tried to suppress the entire incident.

The petitioners say that they had no active role to play in the matter. They have been falsely implicated.

We have seen the statement of the victim boy recorded under Section 164 of the Code of Criminal Procedure. He vividly describes the incident and implicates the present petitioners as well.

In view of the nature and gravity of the alleged offence, although charge sheet may have been submitted, we are not inclined to entertain the present application for anticipatory bail.

The prayer for anticipatory bail is rejected.

CRM No. 5049 of 2021 is, thus, dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)