

23.12.2021

Serial no. 06

Dd

(Through Video Conference)

CRM 5692 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **261** of **2018** dated **24.08.2018** under Sections **448/376/511/325/307/506/34** of the Indian Penal Code. (GR No. **930 of 2018**)

-And-

In the matter of : **Rahimul Ali @ Rahimul Hoque**

... ..Petitioner

Mr. Somnath Banerjee,
Mr. Pronojit Roy, Advocates
... .. For the Petitioner

Mr. Prasun Kumar Dutta, Id. APP
Mr. Subrato Roy, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. In any event, one of the co-accused was granted anticipatory bail by the jurisdictional Court.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Criminal Procedure Code and the medical report of the victim.

It appears from the statements recorded under Section 164 of the Criminal Procedure Code of the victim that there was an attempt to rape. On being unsuccessful the petitioner went away but returned with four persons and assaulted the victim. The assault is corroborated by the medical records available in the case diary.

Considering the gravity of the offence and the complicity of the petitioner therein, we are not inclined to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, accordingly, **rejected**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)