

15.09.2021
tkm/ct 29
sl no. 48

C.R.M. 5788 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Hemtabad P.S Case no. 49 of 2020 dated 2.3.2020 under sections 365/34 of the IPC

And

In Re : Rasid Ali

..... petitioner

Mr. K Choudhury
Ms. B Khatun

..... for the petitioner

Ms. Faria Hossain
Mr. Aniket Mitra

..... for the State

Petitioner seeks anticipatory bail.

Learned advocate for the petitioner submits that the petitioner is not the principal accused. He draws attention of the Court to the statement recorded under section 164 Cr.P.C. According to him, there is discrepancy between the statement recorded under section 161 Cr.P.C. and 164 Cr.P.C. made by the victim girl. Charge sheet was submitted.

Learned advocate for the State opposes the prayer for anticipatory bail.

Considering the materials in the case diary and considering the fact that the victim girl named the petitioner as one of the perpetrator of the crime in the statement recorded under section 164 Cr.P.C, we are not inclined to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail is rejected.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)