

CRM No.6440 of 2021

Via video conference

24.11.21

(S.R.)

Sl.194

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kandi** Police Station Case No.407 of 2021 dated 06/08/2021 under Sections 363/365/34 of the Indian Penal Code adding Section 4 of the Protection of Children from Sexual Offences Act;

And

In re: Abbas @ Abbasuddin Sk.

... petitioner.

Mr. Manas Kumar Das

... for the petitioner.

Mr. Goutam Wilson

...for the State.

The learned advocate appearing for the petitioner submits that there was a love affair between the petitioner and the victim girl and he has been falsely implicated. In the said conspectus, custodial interrogation is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim girl as recorded under Section 164.

Heard the learned advocates and considered the materials on record. It appears that the girl is aged about 14 years 10 months and considering the nature of allegation and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour.

Accordingly, the application for anticipatory bail being CRM No.6440 of 2021 is 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.)

