

14.12.2021
Item no.258
Court No.32
Avijit Mitra

C.R.M. 6849 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal;

And

In Re : Akmal Hossain

.... petitioner

Mr. Koustav Bagchi

....for the petitioner

Mr. Imran Ali,

Ms. Sutapa Banerjee

..... for the State

Apprehending arrest in connection with Chanchal Police Station Case No. 696 of 2021 dated 25.08.2021 under Sections 376/506/313 of the Indian Penal Code, the present application has been preferred.

Mr. Bagchi, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The complaint had been lodged about three months after the alleged incident and in the said conspectus, the petitioner may be granted anticipatory bail subject to any stringent condition.

Ms. Banerjee, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary including the statements of the witnesses.

Heard learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, there are strong incriminating materials against the petitioner. Considering the seriousness of the offence and the extent of the complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in favour of the petitioner, more so when investigation is still continuing.

Accordingly, the application for anticipatory bail being C.R.M. No.6849 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.)