

17.12.2021
Court No.32
Item No. 270
Krishnendu
Rejected

**CRM 7356 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure.

And

In re: **Amir Hosen @ Amer Husen @ Amir Hossain & Ors.**
...Petitioners

Mr. Sujoy Sarkar
Mr. Musharraf Alam Sk.

... For the Petitioners

Mrs. Sreeparna Das

...For the State

Apprehending arrest in connection with Harishchandrapur Police Station Case No. 319 of 2021 dated 29.04.2021 under Sections 363/365/34 of the Indian Penal Code and section 6 of the POCSO Act, the present application has been preferred.

Mr. Sarkar, learned advocate appearing for the petitioners submits that the petitioner no. 1 is the father of the principal accused and the petitioner nos. 2 and 3 are the relatives. They have been falsely implicated. The allegations are omnibus in nature and the ingredients of the sections are not attracted in respect of the petitioners herein. Upon completion of investigation, charge sheet has also been submitted and as such custodial interrogation of the petitioners is not necessary.

Mrs. Das, the learned advocate appearing for the State, opposes the petitioners' prayer and draws our attention to several documents in the case diary, including the statement of the victim girl, as recorded under section 164 of the Code of Criminal Procedure.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

Prima facie, there are strong incriminating materials against the petitioners. Considering the seriousness of the offence and the extent of complicity of the petitioners, we are not inclined to grant anticipatory bail to the petitioners.

The application for anticipatory bail, being CRM No. 7356 of 2021, is, accordingly, rejected.

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.)