

CRM 7490 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Alamgir Mandal**

..... petitioner

Ms. Bushra Khatoon

.....For the petitioner

Mr. Partha Pratim Das

Ms. Manasi Roy

.....For the State

Apprehending arrest in connection with Patiram Police Station Case No. 149 of 2021 dated 24.09.2021 under Sections 157/376/511 of the Indian Penal Code, the present application has been preferred.

Learned advocate for the petitioner submits that the petitioner has been falsely implicated. The ingredients of Section 376 of the Code of Criminal Procedure are not attracted in respect of the petitioner. The allegations are omnibus in nature and in the said conspectus, custodial detention of the petitioner is not necessary.

Learned advocate for the State opposes the petitioner's prayer and draws our attention to the statement of the victim lady as recorded under Section 164 of the Code of Criminal Procedure. He further submits that investigation is still continuing.

Considering the nature of allegations, the seriousness of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour more so when the investigation is still

continuing and as such, prayer for anticipatory bail of the petitioner is refused.

The application, being CRM 7490 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.)