

22.12.21
(S.R.)
Sl.229
Ct.32

CRM No.7574 of 2021

Via video conference

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Tamluk** Police Station Case No.879 of 2021 dated 23/10/2021 under Sections 363/365/366/368 of the Indian Penal Code added with Section 4 of the POCSO Act and Section 9 of the Child Marriage Act giving rise to S.C. No.226/2021;

And

In re: Madhusudan Rana

... petitioner.

Mr. Amal Krishna Samanta

... for the petitioner.

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

...for the State.

Mr. Samanta, learned advocate appearing for the petitioner submits that there was a love relationship between the petitioner and the victim girl for a substantial period of time. The relationship was consensual in nature and the petitioner has been falsely implicated. In view thereof, the petitioner may be enlarged on bail on any stringent condition.

Mr. Mukherjee, 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 of the Code. He, however, submits that victim girl has refused medical and that investigation has not yet been completed.

Having heard the learned advocates and considering the materials in the case diary, the nature of accusations, the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise discretion in his favour.

The application for anticipatory bail being CRM No.7574 of 2021 is, accordingly, 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.)