

21.12.2021.
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as
(Rejected)

C.R.M. 8595 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur P. S. Case No.976 of 2017 dated 02.12.2017 under Section 376(D) of the Indian Penal Code.

In the matter of : Tinku.

... Petitioner.

Mr. Kaustav Bagchi,
Mr. Debayan Ghosh.

...for the Petitioner.

Mr. Narayan Prasad Agarwal,
Ms. Subhasree Patel.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that there is delay in lodging the first information report. It is further submitted that the victim denied medical examination.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have examined the statement of the victim prima facie disclosing involvement of the petitioner and others in subjecting her to sexual assault. Petitioner had absconded for four years.

In view of the aforesaid facts, we are of the opinion that in view of the gravity of the offence as well as abscondence of the petitioner, this is not a fit case to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)

