

02.03.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Baishnabnagar**
Sl.146 Police Station Case **No.675 of 2020** dated 05.12.2020 under Sections
Ct.28 **376/506** of the Indian Penal Code (G.R. Case **No.5575 of 2020**);

And

In re: Pashan Haldar @ Prasenjit

... petitioner.

Mr. Mrityunjoy Chatterjee
Mr. Arup Kr. Bhowmik

... for the petitioner.

Ms. Faria Hossain
Ms. Baisali Basu

...for the State.

The learned advocate appearing for the petitioner submits that there was an existing dispute between the families of the petitioner and the *de facto* complainant and the petitioner has been falsely implicated. No overt act has been attributed to the petitioner and in view thereof, custodial interrogation of the petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer.

We have perused the statement of the victim girl as recorded under Section 164 of the Code and the medical report wherefrom, *prima facie*, we find that there is direct involvement of the petitioner in the alleged offence and in view thereof, we are not inclined to exercise discretion in favour of the petitioner. As such, the petitioner's prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail being CRM No.10728 of 2020, is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)