

11.03.2021
Item no.29
Court No.28
Avijit Mitra

C.R.M. 10886 of 2020 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Beldanga Police Station Case No.327 of 2020 dated 10.08.2020 under Sections 376/511 of the Indian Penal Code and Sections 4/18 of Protection of Child from Sexual Offences Act;

And

In Re : Sajibul Biswas

.... Petitioner

Mr. Arnab Chatterjee

...for the petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Ms. Faria Hossain,

Ms. Sonali Das

...for the State

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the allegations levelled against the petitioner are unfounded and the petitioner has been falsely implicated. In view thereof custodial interrogation of the petitioner is not warranted.

Mr. Mukherjee, learned Public Prosecutor 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 of Criminal Procedure and the medical report.

We have perused the materials on record. It appears that the victim girl was only 6 years of age. Considering the gravity of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to

exercise any discretion in favour of the petitioner and as such, the prayer for anticipatory bail is rejected.

Accordingly, the application being C.R.M. No.10886 of 2020 is dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)