

11.03.2021
Court No.28
Item No. 49
Krishnendu
Rejected

CRM 10941 of 2020
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Nirupam Basak**

Petitioner

Mr. Sujit Saha

For the Petitioner

Mr. S.G. Mukherjee, Id. P.P.

Mr. Partha Pratim Das

Mrs. Manashi Roy

For the State

Apprehending arrest in connection with Raiganj Women P.S. Case No. 42 of 2020 dated 02.03.2020 under sections 376/506 of the Indian Penal Code read with section 4 of POCSO Act, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The allegations levelled against him are unfounded and in the said conspectus, custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case.

The learned advocate appearing for the State opposes the petitioner's prayer for anticipatory bail and draws our attention to several documents in the case diary.

We have perused the materials in the case diary, including the statement of the victim girl, as recorded under section 164 of the Code of Criminal Procedure and the medical report. *Prima facie*, the materials disclose direct involvement of the petitioner in the alleged offence and as such we are not inclined to

exercise any discretion in his favour. Accordingly, the prayer for anticipatory bail of the petitioner is refused.

The application for anticipatory bail, being CRM 10941 of 2020 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)