

14.06.2021

Court No.30
Item No.12
(DISMISSED)

akd
&
ab

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT
JALPAIGURI**

(Via Video Conference)

CRM 628 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kumargram Police Station Case No. 83 of 2021, dated 01.05.2021 (G.R. Case No. 723 of 2021) under Sections 417/376D/120B of the Indian Penal Code.

And

In the matter of : **Anirudhya Basumata & Anr.**
...Petitioners

Mr. Hillol Saha Poddar

...For the Petitioners

Mr. Aditi Shankar Chakraborty,
Mr. Tapan Bhattacharjee.

...For the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that, there was a relationship between the complainant and the petitioner no. 1. The complainant was well aware of the relationship. He further submits that, though the allegation of rape was levelled against the petitioners, but no such incident took place. The complaint is a result of relationship going sour. He seeks anticipatory bail to the petitioners.

Learned Advocate for the State submits that, the complainant recorded her statement under Section 164 of the Code of Criminal Procedure where the complainant named the petitioners herein as the persons committing such offence.

In view of such statement made by the complaint under Section 164 of the Code of Criminal Procedure, we are not inclined to grant anticipatory bail.

CRM 628 of 2021, is dismissed accordingly.

(Debangsu Basak, J.)

(Aniruddha Roy, J.)