

14.06.2021
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Saswata & AB

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT
JALPAIGURI
(via video conference)**

C.R.M. 636 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on in connection with Pundibari P.S.Case No. 125 of 2021 dated 13.03.2021 under Sections 376/511 of the Indian Penal Code.

In the matter of : Biswajit Barman @ Biswa

...Petitioner

Mr. Debajit Kundu

...for the Petitioner.

Mr. Niloy Chakraborty

.....for the State.

The petitioner seeks anticipatory bail.

It appears from the records that the earlier application for anticipatory bail was rejected on March 3, 2021 by the learned Sessions Judge in-charge, Cooch Behar.

Learned advocate for the State submits that a statement under Section 164 of the Code of Criminal Procedure was recorded by the victim in which the victim alleged an attempt to rape as against the petitioner.

In view of the statement recorded under Section 164, we are not inclined to grant anticipatory bail to the petitioner.

CRM 636 of 2021 is dismissed.

(Debangsu Basak, J.)

(Aniruddha Roy, J.)

