

04.02.2022
Item no. 13
Court No.32
Avijit Mitra

C.R.M.(A) 67 of 2022

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

And

In Re : Soukat Islam @ Hemant

.... petitioner

Mr. Kallol Mondal,
Mr. Sourav Mukherjee

....for the petitioner

Mr. P.K. Datta,
Mr. Subroto Roy

..... for the State

Apprehending arrest in connection with Kaliganj Police Station Case No.04 of 2022 dated 03.01.2022 under Section 4 of the POCSO Act, the present application has been preferred.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in view of previous enmity. The father of the petitioner lodged a complaint against the complainant and her family members which was registered under Section 307 of the Indian Penal Code. It is subsequent thereto, the present complaint has been lodged. The allegations levelled are unfounded and in the said conspectus custodial interrogation may not necessary and he may be granted anticipatory bail on any stringent condition.

Mr. Roy, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statement of the victim as recorded under Section 164 of the Code and the medical report.

Heard the learned advocates appearing for the respective parties.

Prima facie, there are strong incriminating materials on record against the petitioner. Considering the gravity of the offence, the nature of accusations 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 more so when, the investigation is still continuing and as such, prayer for anticipatory bail is refused.

The application for anticipatory bail being C.R.M.(A) 67 of 2022 is dismissed.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)