

6 27.01.2022
(AD) Court No.29
(Rejected)

**C.R.M. (A) 125 of 2022
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** P.S. Case No. **404 of 2021** dated **11/08/2021** under Sections **341/506/34** of the Indian Penal Code read with Section **8** of the Protection of Children from Sexual Offences Act.

And

In the matter of: - Nishikanta Mandal

...petitioner.

Mr. Parvej Anam

... for the petitioner.

Mr. Imran Ali
Ms. Sujata Das

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the First Information Report was lodged three days after the alleged incident. The petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal procedure. She submits that the petitioner is the main person involved in the incident.

Considering the statement recorded under Section 164 of the Code of Criminal Procedure of the victim and the gravity of the offence and the involvement of the petitioner therein, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the

petitioner is rejected.

C.R.M. (A) 125 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)