

01.02.2022
Item no. 69
Court No.32
Avijit Mitra

C.R.M.(A) 186 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Raiganj Women Police Station Case No.168 of 2020 dated 20.11.2020 under Section 376(3) of the Indian Penal Code read with Section 6 POCSO Act;

And

In Re : Tapas @ Ranjan Baisya

.... petitioner

Mr. A. Bhattacharya,
Mr. Sagar Saha

....for the petitioner

Mr. Imran Ali,
Ms. Pritha Paul

..... for the State

Heard the learned lawyer for the petitioner as well as learned lawyer representing the State.

Learned lawyer for the petitioner submitted that the other co-accused is enlarged on bail by a Coordinate Bench of this Court. On perusal of case diary it appears that the other co-accused person was granted regular bail after custodial detention for more than 230 days. There are strong incriminating elements against the present petitioner as appears from the statement of the victim recorded under Section 161 and 164 of the Code of Criminal Procedure. Medical report does not negate the allegations levelled against the present petitioner. The allegation is grave and serious.

Considering the allegation levelled against the petitioner and the extent of complicity of the present petitioner, we are not inclined to allow the anticipatory bail and the same stands rejected.

The application for anticipatory bail being C.R.M.(A) 186 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.)