

CRM(A) No.204 of 2022

Via video conference

08.02.22

(S.R.)

Sl.20

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chakdah** Police Station Case No.295 of 2021 dated 07/07/2021 under Sections 354/506/34 of the Indian Penal Code read with Section 12 of the POCSO Act;

And

In re: Idrish Ali Mondal @ Iddis Mondal @ Idu ... petitioner.

Mr. Shibaji Kumar Das

... for the petitioner.

Mr. Imran Ali

Mr. M.F.A. Begg

...for the State.

Mr. Das, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated in the alleged incident. A co-accused person, similarly situated with the petitioner, had already been granted anticipatory bail by a Coordinate Bench of this Court. In the said conspectus, the petitioner may be granted anticipatory bail on any stringent condition.

Mr. Begg, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as well as the victim girl, as recorded under Sections 161 and 164 of the Code. Answering our query, he submits that investigation is still continuing.

Heard the learned advocates and considered the materials in the case diary.

Prima facie, we find strong incriminating materials on record against the petitioner. Considering the seriousness of the offence, the possible extent of complicity of the petitioner in the alleged offence and since investigation is still continuing, we are not inclined to exercise any discretion in his favour. As such, his prayer for anticipatory bail is

refused.

Accordingly, the application for anticipatory bail being CRM(A) No.204 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.)