

30.03.2022
Serial no. 98
[Dd]
(Anticipatory bail
Rejected)

CRM(A) 235 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Basanti** Police Station Case No. **302** of **2020** dated **31.05.2020** under Sections **363/365/376(3)/376DA** of the Indian Penal Code and Section **6** POCSO Act.

-And-

In the matter of : **Yamin Mallik & Anr.**

... ..**Petitioners**

Mr. Sarthak Burman, Advocate
... .. For the Petitioners

Ms. Zareen N. Khan,
Md. Kutub Uddin, Advocates
... ..For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners are falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code, where the victim names both the petitioners.

In a statement recorded under Section 164 of the Criminal Procedure Code, the victim names both the petitioners as the persons perpetrating the crime along with other persons.

Considering the gravity of the offence and the involvement of the petitioners therein, we are not inclined to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM(A) 235 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)