

CRM (A) 836 of 2022

In re: An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 14.02.2022 in connection with English Bazar Women P.S. Case No. 243 of 2021 dated 10.12.2021 under Sections 6/17 of the POCSO Act.

-And-

In the matter of : **Samim Aktar @ Shamim Sk**

... ...Petitioner

Mr. Avinaba Patra, Advocate

Ms. Pramita Banerjee, Advocate

... ... For the Petitioner

Mr. Abhra Mukherjee, Advocate

Mr. Dipankar Mahata, Advocate

... ... For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. She highlights that there was a delay of 10 days in lodgment of the first information report from the date of the incident.

Learned Advocate appearing for the State draws the attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the medical examination report.

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

CRM (A) 836 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)