

08.03.2022

Serial no. 21

Dd

CRM (A) 1123 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Bhagwangola** Police Station Case No. **62** dated **January 30, 2022** under Sections **448/376/511** of the Indian Penal Code (G.R. Case No. **255 of 2022**)

-And-

In the matter of : **Abul Kalam Sk. @ Kalam Sk.**
... ..**Petitioner**

Mr. Navanil De,
Mr. Subhrajit Dey, Advocates
... .. For the Petitioner

Mr. Tanmoy Kr. Ghosh,
Mr. Arindam Sen, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. He highlights the age of the petitioner who is 77 years. He submits that there are disputes between the de facto complainant and the petitioner relating to some immovable property.

Learned advocate appearing for the State draws the attention of the Court to the statements of the victim recorded under Section 164 of the Criminal Procedure Code and to the injury report.

In the statements recorded under Section 164 of the Criminal Procedure Code, the victim narrates that apart from the petitioner ravishing her, there were scratch marks on her body caused by the petitioner. Such statement is corroborated by the injury report.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the statements recorded under Section 164 of the Criminal Procedure Code and the injury report of the victim, we are not inclined to grant anticipatory bail to the petitioner.

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

CRM (A) 1123 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)