

24 09.03.2022
(AD) Court No.29

C.R.M. (A) 1152 of 2022

(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Habibpur** P.S. Case No.**63 of 2022** dated **22/02/2022** under Sections **328/376/506** of the Indian Penal Code.

And

In the matter of: - Milton Pramanik

...petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

... for the petitioner.

Mr. Jaydeep Ray
Ms. Sujata Das

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the present police complaint is a counter-blast to the earlier complaint lodged against the relative of the de facto complainant. The present police complaint was lodged six months after the alleged incident and that too through the provisions of Section 156(3) of the Code of Criminal Procedure.

Learned Advocate appearing for the State submits that the petitioner ravished by the de facto complainant over a period of time. The de facto complainant was in a rehabilitation centre for a period of six months. It is, thereafter, that the de facto complainant lodged the present police complaint.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the statement of the

victim recorded under Section 164 of the Code of Criminal Procedure, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 1152 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)