

16.03.2022
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Ct. No 29
KAUSHIK
(REJECTED)

C.R.M. (A) 1249 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhatpara** Police Station Case No. **435** of **2021** dated **01.08.2021** under Sections 363/365 of the Indian Penal Code with the subsequent addition of Section 376(3) of the Indian Penal Code and Sections 4/6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Smt. Joyshree Gupta @ Jayshree Gupta @ Jaysri Gupta
..... petitioner

Mr. Bibaswan Bhattacharya
.... for the petitioner

Mr. Joydeep Roy
Ms. Sujata Das
... for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the allegations against the petitioner are limited to Sections 363 and 365 of the Indian Penal Code.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

Considering the age of the victim and her 164 Cr.P.C. statement and the involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 1249 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

