

31.03.2022
Sl. 7
Court No.29
sourav
(Rejected)

C.R.M. (A) 1454 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Dumdum** P.S. Case No. **60** of **2022** dated **27.01.2022** under Sections **417/419/376/406/509** of the Indian Penal Code.

And

In the matter of: **Prasanta Pathak & Anr.**

....petitioners.

Ms. Rupsa Sreemani,

...for the petitioners.

Mr. P.K. Datta, Ld. APP,

Mr. Subrata Roy,

...for the State.

Ms. Devipriya Mitra,

Ms. Sangeeta Roy,

Mr. Chandra Prakash,

...for the defacto complainant.

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that that the petitioners were falsely implicated. There is hardly any allegation against the petitioner no. 2. The petitioner no. 1 came to learn about a proceeding initiated against the defacto complainant with regard to cheating.

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 and the materials in the case diary.

Learned advocate appearing for the defacto complainant submits that apart from the petitioner no. 1 ravishing the defacto complainant on the false promise of marriage, the petitioners obtained money from the victim.

There are materials in the case diary implicating the petitioners in the offences alleged.

Considering the gravity of the offence and the involvement of

the petitioners therein, we are unable to extend the benefit of anticipatory bail to the petitioners.

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

C.R.M. (A) 1454 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

