

05.04.2022
07
Ct. No 29
KAUSHIK
(REJECTED)

C.R.M. (A) 1543 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. **310** of **2021** dated **07.07.2021** under Section 376 of the Indian Penal Code, 1860 and under Section 4 of the Protection of Children from Sexual Offences Act.

And

In Re : Golam Rasul.

..... petitioner

Mr. Arnab Chatterjee

... for the petitioner

Mr. Imran Ali

Ms. Debjani Sahu

... for the State

Petitioner renews the prayer for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the police filed charge-sheet subsequent to the earlier order of rejection. Therefore, custodial interrogation of the petitioner is not required.

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 gravity of the offence and the involvement of the petitioner therein as transpiring from the 164 Cr.P.C. statement of the victim, 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) 1543 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)