

04.05.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 2017 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakdah** Police Station Case No. **232** of **2022** dated **20.04.2022** under Sections 447/323/354/506/34 of the Indian Penal Code, 1860 read with Section 12 of the Protection of Children from Sexual Offences Act.

And

In Re : Pappu Chandra Poddar & Anr.

..... petitioners

Mr. Shibaji Kumar Das

....for the petitioners

Mr. Saptarshi Chattopadhyay

....for the de-facto complainant

Mr. Ashok Das

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. They are the neighbours of the husband who filed the suit for restitution of conjugal rights. The wife of the husband left voluntarily for her paternal house. The petitioner and the husband went to her paternal house to bring her back along with the children. One of the child was with the husband.

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.).

Learned advocate appearing for the de-facto complainant submits that, subsequent to the filing of the police complaint, the de-facto complainant is under continuous threat for withdrawal of his complaint. He refers to the two police complaints on behalf of the de-facto complainant.

Considering the 164 Cr.P.C. statement of the victim and considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 2017 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)