

20.07.2022
Serial no.14
Aloke

CRM (A) 3444 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Hogalberir Police Station Case No. 222 of 2022 dated 06.07.2022 under Section 10 of the POCSO Act.

-And-

In the matter of : **Subhasis Biswas**

... .. Petitioner

Ms. Minoti Gomes, Advocate
Mr. Asraf Mandal, Advocate

... .. For the Petitioner

Mr. Anwar Hossain, Advocate
Ms. Manisha Sharma, Advocate

... ...For the State

Mr. Atis Kr. Biswas, Advocate
Mr. Amit Singh, Advocate
Mr. Jyoti Agarwal, Advocate

... .. For the de facto complainant

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure as well as two statements recorded under Section 161 of the Code of Criminal Procedure of the two other students.

The de facto complainant is represented.

The victim implicates the petitioner in her statement recorded under Section 164 of the Code of Criminal Procedure. There are materials in the case diary as against the petitioner in the form of statement recorded under Section 161 of the Code of Criminal Procedure.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

CRM (A) 3444 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)