

July 25, 2022
(57) ARDR
Rejected

CRM (A) 3531 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **98** of **2022** dated **10/5/2022** under Sections **363/365/34** of the Indian Penal Code and added Section 6 of the Protection of Children from Sexual Offences Act, 2012..

And

In the matter of: **Saiful Mandal,**

....petitioner.

Ms. Minoti Gomes,

...for the petitioner.

Mr. Arijit Ganguly,

Mr. Sanjib Kumar Dan,

...for the State.

Petitioner prays for anticipatory bail.

Learned counsel for the petitioner submits that the petitioner is the owner and driver of the vehicle. The petitioner was falsely implicated.

Learned counsel for the State draws the attention of this Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code and also to the statement under Section 161 of the Criminal Procedure Code.

The victim in her statement recorded under Section 164 of the Criminal Procedure Code claims that she was abducted.

The materials in the case diary suggests that the abduction of the victim was in the vehicle belonging to the petitioner and the petitioner was driving the said vehicle.

In such circumstances, the complicity of the petitioner in the incident cannot be overlooked.

Consequently, we are unable to grant anticipatory bail to the petitioner.

C.R.M. (A) 3531 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)