

C.R.M. (A) 4026 of 2022

24.08.2022
Sl.13
Court No.29
(AD)
(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No.**524 of 2022** dated **22/05/2022** under Sections **376D/448/506** of the Indian Penal Code, 1860.

And

In the matter of: **Ansarul Haque**

....petitioner.

Mr. Soupal Chatterjee

...for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP

Ms. Faria Hossain

Ms. Mamata Jana

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that other co-accuseds were enlarged on anticipatory bail by the jurisdictional Court. The petitioner is a resident of Bihar. The petitioner was falsely implicated.

Learned Advocate appearing for the State submits that there is an application for cancellation of the anticipatory bail granted in favour of the co-accused pending before the jurisdictional Court. She submits that subsequent to the co-accused being enlarged on bail, the victim was threatened. There is a statement of the daughter of the victim recorded under Section 164 of the Code of Criminal Procedure implicating the persons enlarged on anticipatory bail along with the other accused persons which includes the petitioner.

Learned Advocate appearing for the petitioner submits that the petitioner is a resident of Bihar. Therefore, the question of threatening the victim does not arise.

There are substantial materials in the case diary implicating the petitioner in the offence alleged. There is a subsequent complaint lodged at the behest of the victim.

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

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

C.R.M. (A) 4026 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)