

18.01.2022
Court No.32
Item no. 20
sdas

C.R.M. 8502 of 2021
(Via Video Conferencing)

In Re:- An application for anticipatory bail under Section 438 of
the Code of Criminal;

And

In Re : Sk. Sajim Ali petitioner

Mr. Soumyajit Das Mahapatra
....for the petitioner

Mr. Swapan Banerjee
Mr. Suman De
..... for the State

Apprehending arrest in connection with Beliabera Police
Station Case No.114 of 2021 dated 07.12.2021 under Sections
363/365/34 of the Indian Penal Code, the present application
has been preferred.

Mr. Das Mahapatra, learned advocate appearing for the
petitioner submits that the relationship between the petitioner
and the victim was consensual in nature. The petitioner is only
19 years of age and he is ready and willing to extend all co-
operation to the investigating agency. In the said conspectus,
the petitioner may be granted anticipatory bail on any stringent
condition.

Mr. Banerjee, learned advocate appearing for the State
opposes the petitioner's prayer and draws our attention to the
statement of the victim, who is a girl aged about 15 years, as
recorded under Section 164 of the Code.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary including the statement of the victim, as recorded under Section 164 of the Code, the seriousness of the offence and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise any discretion in his favour, more so when investigation is still continuing and as such the prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail being C.R.M. No.8502 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)