

09.11.2022
Serial no. 22
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 5002 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Liluah** Police Station Case No. **434** of **2022** dated **30.08.2022** under Sections **506/34** of the Indian Penal Code and **4/8/12** of the POCSO Act.

-And-

In the matter of : **Deb Kumar Panji**

... ..**Petitioner**

Mr. Soumyajit Das Mahapatra,
Mr. Supriya Das,
Mr. Aman Baid,
Ms. Oindrila Ghosh, Advocates
... .. For the Petitioner

Mr. Swapan Banerjee,
Mr. Suman De, Advocates
... ..For the State

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder,
Mr. Samrat Paul, Advocates
.. ...For the de facto complainant

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. He submits that the petitioner is a teacher. The petitioner does not undertake any private tuition. The petitioner along with others complained about certain illegal constructions by the promoter. The police case is a counter-blast to such complaint. He submits that the address given by the victim does not exist in the town of Liluah.

Learned advocate appearing for the petitioner submits that there is a delay of 2 months in the lodgment of the first information report.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code and to the medical examination report of the victim.

The de facto complainant is represented.

Learned advocate appearing for the de facto complainant submits that there is actually no delay in the lodgment of the first information report. The incident occurred on August 30, 2022. The date in the police complainant contains a typographically error.

The victim was examined on August 31, 2022 in respect of a complaint of August 30, 2022. The victim in a statement recorded under Section 164 of the Criminal Procedure Code implicates the petitioner.

The victim is identified and, therefore, the question of the address of the victim at this stage is not so material.

The petitioner is unable to draw the attention of the Court to any material to suggest that there is no nexus between the victim and the promoter.

In such circumstances, we are not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 5002 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)