

VB
17. 28.10.2022
Ct.28 Tanmoy

Rejected

CRM (A) 5015 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with **Nadial Police Station Case No. 153 of 2022** dated **14.08.2022** under Sections **417/376/328/506** of the Indian Penal Code.

And

In the matter of: - **Shiladitya Mistri @ Mistry @ Bul**
....petitioner.

Mr. Saurav Chatterjee,
Mr. Shibaji Kumar Das
...for the petitioner.

Mr. Neguive Ahmed, Ld. A.P.P.,
Mr. Md. Anwar Hossain,
Ms. Jonaki Saha
...for the State.

Mr. Mohinoor Rahaman,
Sk. Abumusa,
Mr. Sirajul Haque Mondal
...for the *de facto* complainant.

Learned Advocate appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in this case on the ground of enmity. It is further submitted that the petitioner is known to the *de facto* complainant for a considerable period.

Learned Advocate appearing on behalf of the *de facto* complainant submits that the petitioner ravished the *de facto* complainant in his house on the plea of providing job.

Learned Advocate appearing on behalf of the State raises objection for granting anticipatory bail in favour of the petitioner.

Keeping an eye to the submissions made on behalf of the parties as well as materials in the case diary together with the statement recorded under Section 164 of the Code of Criminal Procedure, the offence alleged to have been committed under Section 376 of the Indian Penal Code cannot be ruled out at this stage.

In the aforesaid view of the matter, we are not inclined to grant anticipatory bail in favour of the petitioner. Thus, the prayer for anticipatory bail is rejected.

The application being CRM (A) 5015 of 2022 is dismissed.

(Bibhas Ranjan De, J.)

(Abhijit Gangopadhyay, J.)