

29.03.2023

Serial no. 13

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 1268 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Sutahata** Police Station Case No. **371** of **2022** dated **03.11.2022** under Sections **313/328/34/376/506** of IPC (G.R. NO. 2584/2022)

-And-

In the matter of : **Keshab Sen Nayek @ Keshab Sen Nayak**
... ..Petitioner

Mr. Suman Den, Advocate
... .. For the Petitioner

Mr. Navanil De, Advocate
... ...For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner is the father of a Church. He was defamed by the de facto complainant. He refers to the social media post of the de facto complainant. He submits that the petitioner lodged a case of defamation on October 16, 2022. Thereafter, the present police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the statement of the de facto complainant recorded under Section 164 of the Criminal Procedure Code. He also refers to a seizure list dated November 3, 2022. He submits that it would appear from the register of a Digha hotel that the petitioner and the de facto complainant checked into a room at Digha.

The de facto complainant in her statement recorded under Section 164 of the Criminal Procedure Code states that she

was administered some drugs and, thereafter, she found herself to be in a physical relationship with the petitioner.

There is a seizure list of the police which suggests that the petitioner and the de facto complainant checked into a hotel at Digha.

Prima facie case as against the petitioner stands made out.

Enlarging the petitioner at this stage on anticipatory bail would be inimical to the investigations.

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

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

CRM (A) 1268 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)