

31.03.2023

Serial no. 10

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 1348 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Marishda** Police Station Case No. **47** of **2023** dated **26.02.2023** under Sections **376** of the IPC.

-And-

In the matter of : **Nepu Debnath**

... ..**Petitioner**

Mr. Soumik Ganguly, Advocate

... .. For the Petitioner

Mr. Debabrata Chatterjee, Id. APP

Mr. Santanu Chatterjee, Advocate

... ..For the State

Victim complains of rape.

There are medical documents suggesting that the victim is pregnant.

It is the claim of the petitioner that he is being falsely implicated. The victim used to work as a maid servant. According to the petitioner, there is a delay in the lodgment of the first information report.

In her statement recorded under Section 164 of the Criminal Procedure Code, victim claims that she was raped by the petitioner and that a life threat was held out as against her.

In view of the statement of the victim and the medical evidence on record, we are unable to grant anticipatory bail to the petitioner.

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

CRM (A) 1348 of 2023 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)