

05.04.2023

Sl.33

Court No.29

(AD)

(Rejected)

C.R.M. (A) 1452 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mothabari** Police Station Case No.**460 of 2022** dated **03.12.2022** under Sections **363/365/34** of the Indian Penal Code, 1860 and Section **6** of POCSO Act. Charge Sheet submitted vide No.47/2023 dated 04.03.2023 under Sections **363/365/417/109** of the Indian Penal Code and Sections **4/8/17** of POCSO Act registered as POCSO Case No.199/2022.

And

In the matter of: **Saju Sk. @ Sajiruddin**

....petitioner.

Ms. Minoti Gomes
Mr. Musharraf Alam sk.
Ms. Susmita Ghorai

... for the petitioner.

Mr. Sujan Chatterjee

...for the State.

Petitioner prays for anticipatory bail.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure where the victim did not name the petitioner as the person who abducted her. Subsequently, the victim recorded her statement under Section 161 of the Code of Criminal Procedure where she claims that the petitioner abducted her. She also states that she was under fear and, therefore, did not name the petitioner at the first instance.

Police filed charge sheet.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 1452 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

