

26.04.2023

27

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 1786 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Basanti** Police Station Case No. **797** of **2022** dated **20.10.2022** under Sections 448/376(1) of the Indian Penal Code, 1860.

And

In Re : Motiar Rahaman Sardar

..... petitioner

Ms. Sananda Bhattacharya

Mr. Triptimoy Talukdar

....for the petitioner

Mr. Pravas Bhattacharya

Mr. MFA Begg

....for the State

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) implicates the petitioner.

Medical evidence tends to corroborate her claim as against the petitioner.

The 161 Cr.P.C. statement also tends to corroborate her claim.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 1786 of 2023 is dismissed.

(Debangsu Basak, J.)

(Rai Chattopadhyay, J.)

