

16.05.2023

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Ct. No. 29

CHC

Rejected

C.R.M.(A) 1995 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **250** of **2023** dated **02.03.2023** under Sections **376/406** of the Indian Penal Code.

And

In the matter of : Krishnakanta Saha

..... petitioner

Mr. Jisan Hossain

....for the petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.

Mr. Aniket Mitra

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that petitioner was falsely implicated. There was a dispute with regard to a monetary transaction.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code, her medical examination report as also various other materials in the case diary.

The victim in her statement recorded under Section 164 of the Criminal Procedure Code implicates the petitioner in raping her. She complained to the police contemporaneously.

She underwent medical examination. Documents in the case diary including hotel register corroborate her claim.

In view of 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.

CRM (A)1995 of 2023 is rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)