

16.05.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 2007 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Haringhata** Police Station Case No. **77** of **2023** dated **01.03.2023** under Sections 498A/232/325/354/307/506/34 of the Indian Penal Code.

And

In Re : Sanjay Majumdar

..... petitioner

Mr. Sumanta Das

....for the petitioner

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

....for the State

The brother-in-law of the de-facto complainant is before us seeking anticipatory bail.

Contention of the petitioner is one of false implication.

There is a statement recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) of the de-facto complainant where, she complains of assault, wrongful abortion as well as rape.

Assault on the de-facto complainant stands corroborated by 161 Cr.P.C. statements of eye witnesses as also the medical examination document of the de-facto complainant.

In view of the 164 Cr.P.C. statement of the de-facto complainant and at least a portion thereof being corroborated independently by eye witnesses and medical documents and in view of the involvement of the petitioner as transpiring from

such document, 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) 2007 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)