

11. 30.06.2023
Ct.6 Tanmoy Ghosh

Rejected

CRM (A) 2428 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, in connection with **Gopalnagar Police Station Case No. 346 of 2023** dated **01/06/2023** under Sections **363/365** of the Indian Penal Code, 1860.

And

In the matter of: - **Sourab Biswas @ Ripan Biswas @ Sourav Biswas**

...petitioner.

Ms. Rupsa Sreemani, Adv.

...for the petitioner.

Mr. Rudradipta Nandy, Ld. APP,
Mr. Subrata Roy, Adv.

...for the State.

The petitioner says that there was a love relationship between him and the victim girl. The petitioner is 24 years of age. The victim girl, according to the petitioner, was 17 years old at the time of the incident. He says that he will abide by any condition and co-operate with the Investigating Officer.

We have seen the material in the case diary produced by learned Advocate for the State including the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973. Firstly, the girl was 15 years old at the time of the incident; secondly, she clearly says that she was forced into having physical relationship with the petitioner.

Considering the nature and gravity of the allegations and the possible extent of complicity of the petitioner in the crime, and also because investigation is in progress, we are not inclined to allow the prayer for anticipatory bail of the petitioner.

Accordingly, the application for anticipatory bail being CRM (A) 2428 of 2023 is dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)