

31.08.2023
(D/L 35)
Ct. No.29
Rejected
(SKB)

CRM (A) 3561 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with SPL (P) Case No.23 of 2023 arising out of Bagdah P.S. Case No.184 of 2023 dated 20.03.2023 under Section 376D of the Indian Penal Code and Section 6 of the POCSO Act.

In the matter of : Samiran Roy

... Petitioner

Mr. Susnigdho Bhattacharyya

... for the petitioner

Mr. S. S. Imam,
Mr. R. Jana

... for the State

1. Heard learned Counsel for the parties.
2. Considered the materials placed before us including the statement of the victim recorded under Section 164 Cr.P.C. From her statement, it is clearly found that the present petitioner had continuously ravished the victim on several occasions. Taking into consideration the seriousness of allegation and gravity of the offence, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioner.
3. Accordingly, the prayer for anticipatory bail is rejected.
4. CRM(A) 3561 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)