

03.10.2023
(D/L 68)
Ct. No.29
Rejected
(SKB)

CRM (A) 4001 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ratua P.S. Case No.70 of 2023 dated 18.02.2023 under Sections 363/365/120B of the Indian Penal Code and Section 6 of the POCSO Act corresponding to G.R. Case No.402 of 2023.

In the matter of : Rudal Yadav @ Rudol Yadav
... Petitioner

Mr. Soupal Chatterjee,
Mr. Anupam Das,
Ms. Sucheta Banerjee
... for the petitioner

Mr. Zareen N. Khan,
Mr. Asif Dewan
... for the State

1. Heard learned advocates for the parties.
2. Though learned advocate for the petitioners seeks benefit of parity in respect of one Rahul Yadav, who is enlarged on anticipatory bail on 02.08.2023 in CRM (A) 2721 of 2023, it appears to us that the footing of the present petitioners is quite distinguishable from the said Rahul Yadav since from the statement of the victim as recorded under Section 164 Cr.P.C., it reveals that the present petitioners and one Goutam kidnapped the victim and placed her in a house where she was ravished by the said Goutam and Magura.
3. Considering the seriousness of the crime and the role played by the present petitioners in the alleged crime, we

are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioners.

4. Accordingly, the prayer for anticipatory bail is rejected.
5. CRM(A) 4001 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)