

02.01.2023
Serial no. 29
[Dd]
(Anticipatory bail)
(Rejected)

CRM (A) 5997 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kharagpur (Town)** Police Station Case No. **475** of **2021** dated **03.09.2021** under Sections **341/328/365/368/376(2)/ 323/506/34** of the IPC
-And-

In the matter of : **Sk. Mukhelem @ Sk. Muslem**
... ..**Petitioner**

Mr. Soumyajit Das Mahapatra, Advocate
... .. For the Petitioner

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee, Advocates
... ..For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

The de facto complainant was married. She converted her religion to marry the petitioner. Subsequently, the present police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the statement of the de facto complainant recorded under Section 164 of the Cr. P.C. He submits that the de facto complainant was tortured. He refers to the medical examination report of the de facto complainant and submits that, cigarette burn injury was found on the body of the de facto complainant.

De facto complainant implicates the petitioner in her statement recorded under Section 164 of the Cr. P.C.

The physical torture as claimed in the statement recorded under Section 164 of the Cr. P.C. stands apparently corroborated by the medical examination report of the de facto complainant.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 5997 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)