

29.04.2024
DL-23
Court No.29
(AD)
(Rejected)

C.R.M. (A) 1498 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **206 of 2024** dated **12.03.2024** under Sections **417/376/323/406/506** of the Indian Penal Code, 1860 (G.R. Case No.1579 of 2024)

And

In the matter of: **Abhijit Roy @ Avijit Roy**

....petitioner.

Mr. Kalidas Saha
Ms. Mandira Mandal

... for the petitioner.

Mr. Debasish Roy, Ld. PP
Mr. Arijit Ganguly
Mr. Koushik Kundu

... for the State.

Md. Wasim Akram
Ms. Reshmi Khatun

... for the de facto complainant.

1. Petitioner prays for anticipatory bail.
2. Learned Advocate appearing for the petitioner submits that, a consensual relationship was entered into between the two adults. Petitioner is now being falsely implicated.
3. 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 Code of Criminal Procedure.
4. De facto complainant is represented.
5. The de facto complainant recorded her statement under Section 164 of the Code of Criminal Procedure where she claims that, the petitioner was taking advantage of her physically after blackmailing her. She states that, there are offensive pictures in the possession of the petitioner which the petitioner is using to blackmail her. She also says that money and ornaments were extracted from her. That apart,

the petitioner raped her.

6. Considering the materials in the case diary and the gravity of the offence as transpiring therefrom, we are unable to grant anticipatory bail to the petitioner.
7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.
8. **C.R.M. (A) 1498 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)