

22.05.2024

Serial no. 54
Anticipatory bail
[Rejected]
Dd

CRM (A) 1799 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Habibpur** Police Station Case No. **60** of **2024** dated **19.03.2024** under Sections **341/376/506** of the Indian Penal Code, 1860.*

-And-

In the matter of : **Purna Hansda**

... ..Petitioner

Mr. Arup Kr. Bhowmick, Advocate

... .. For the Petitioners

Ms. Zareen N. Khan,

Ms. Sudeshna Das, Advocate

... ...For the State

Affidavit-of-service filed on behalf of the petitioner highlights the delay in lodging the first information report and claims false implication.

There is a delay of 7 days from the date of the incident in lodging the first information report.

However, considering the nature of the incident and the social strata to which the victim belongs, such delay cannot be said to be fatal.

Survivor recorded a statement under Section 164 of the Criminal Procedure Code which implicates the petitioner. Her statement stands corroborated by medical examination report.

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

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

CRM (A) 1799 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

