

25.06.2024

Court No.29

Item No. 53

Rejected

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CRM (A) 1968 of 2024

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. 170 of 2024 dated 12.04.2024 under Sections 341/323/376(2)(n)/509/34 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re: **B. Srinivas Rao @ B. Srinibas Rao**

Petitioner

Mr. Amit Ranjan Pati

Ms. Swastika Chowdhury

For the Petitioner

Mr. Anindya Sundar Chatterjee

For the State

Mr. Soumyajit Das Mahapatra

Ms. Madhurai Sinha

For the De-facto Complainant

1. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated. It is further submitted that out of vengeance the de-facto complainant who is the step daughter has lodged a false complaint. It is further submitted that the de-facto complainant has also made false accusation against her mother.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the victim recorded under Section 164 Cr.P.C and the medical report.
3. Learned counsel for the de-facto complainant has submitted that the victim was subjected to physical and mental torture by her mother and step father.
4. Considering the materials available in the case diary and statements of the victim recorded under Section 164 Cr.P.C directly implicating the petitioner in the alleged offence and medical examination report, we are not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the prayer for anticipatory bail of the petitioner is rejected and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)