

27.06.2024
Court No.29
Item No. 19

sg

CRM (A) 1991 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Thanarpara Police Station Case No. 58 of 2024 dated 09.03.2024 under Sections 448/509/376/325/506/34 of the Indian Penal Code.

And

In Re: **Sukanta Bairagya**

Petitioner

Mr. Debabrata Ray
Ms. Karabi Roy
Ms. Sarbani Mukhopadhyay

For the Petitioner

Md. Anwar Hossain
Mr. Nirupam Dhali

For the State

1. The learned Counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the instant case. It is further submitted that the FIR was lodged almost after 40 days from the date of occurrence and there is no allegation of abduction or kidnapping.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and also the statement of the neighbour recorded under Section 161 of the Code of Criminal Procedure.
3. Considering the materials available in the case diary and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure directly implicating the petitioner in the alleged offence and having regard to the fact

that the investigation is still in progress, we are not inclined to grant anticipatory bail to the present petitioner.

4. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.
5. CRM (A) 1991 of 2024 is, thus, dismissed.
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.)