

Court No. 29
(266041)

CRM (A) 2580 of 2024

31.07.2024
(AD 35)
(S. Banerjee)

(Rejected)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Malda Police Station Case No. 273 of 2024 dated 03.05.2024 under Sections 363/365/34 of the Indian Penal Code and added Section 4 of POCSO Act in POCSO case no. 79 of 2024.

And

In the matter of: **Jharna Mandal**

...petitioner

Mr. Kazi Mokhlasur Rahman

... for the petitioner

Mr. Subhomay Bhattacharya
Ms. Debjani Sahu

... for the State

1. In spite of service, the victim is not represented.
2. Learned counsel for the petitioner submits that the petitioner is innocent and the principal accused is already in custody.
3. Learned counsel for the State in opposing the prayer has referred to the statement of the victim recorded under Section 161 Cr.P.C.
4. Considering the materials available in the case diary and the statement of the victim recorded under Section 161 Cr.P.C. in which she has amongst others clearly implicated the petitioner for the alleged offence, we are not inclined to grant anticipatory bail to the petitioner.
5. Accordingly, the application for anticipatory bail is rejected.

(Uday Kumar, J.)

(Soumen Sen, J.)