

Court No. 29
(266041)

CRM (A) 2589 of 2024

31.07.2024
(AD 44)
(S. Banerjee)

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 Titagarh Police Station Case No. 195 of 2024 dated 13.06.2024 under Sections 417/420/376/406/34 of the Indian Penal Code.

(Rejected)

And

In the matter of: **Sukamal Das**

...petitioner

Mr. Bibashan Bhattacharya
Ms. Sanjida Sultana

... for the petitioner

Mr. Subhomay Bhattacharya
Mr. Abhinaba Mukherjee

... for the State

Ms. Antarikhya Basu
Ms. Madhumita Basak
Ms. Sanjana Saha

... for the de facto complainant

1. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. However, in the petition he has admitted to have taken a sum of Rs. 2.47 lacs and Rs. 1.13 lacs. It is submitted that the allegation made against the petitioner is false and there has been no promise made by the petitioner to marry the de facto complainant. It is further submitted that two other accused namely, Supriya Sarkar and Saddam Hussain, have been granted bail by the learned Additional Chief Judicial Magistrate, Barrackpore.
2. Learned counsel for the State and the de facto complainant have opposed the prayer for anticipatory bail.

3. Learned counsel for the State has referred to the statement of de facto complainant recorded under Section 164 Cr.P.C.
4. Learned counsel for the de facto complainant has submitted that the petitioner has at various places, described himself differently to suit his purpose and he has past history of tracking widows and to blackmail them emotionally.
5. Considering the materials available in the case diary, statement of the de facto complainant recorded under Section 164 Cr.P.C. and having regard to the fact that the de facto complainant has directly implicated the petitioner for the commission of the alleged offence and it prima facie appears that he has parted away with huge amount of money on the basis of a reputation, which turns out to be false, we are not inclined to grant anticipatory bail to the petitioner.
6. Accordingly, the application for anticipatory bail is rejected.

(Uday Kumar, J.)

(Soumen Sen, J.)