

06.08.2024

Court No.29

Item No. 54

Rejected

ar

CRM (A) 2674 of 2024

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, 2023 in connection with Mejia Police Station Case No. 94 of 2023 dated 15.10.2023 corresponding to G.R Case No. 1464 of 2023 under Sections 376/417/120B/506 of the Indian Penal Code.

And

In Re: **Ananda Biswas**

Petitioner

Mr. Soumik Ganguli

Mr. Debangshu Bandhu

For the Petitioner

Ms. Faria Hossain

Ms. Trina Mitra

For the State

Mr. Sujoy Sarkar

Mr. Rahul Chachan

For the De-facto Complainant

1. Learned counsel appearing for the petitioner submits that a false complaint has been lodged against the petitioner after 10 years of the alleged offence.
2. It appears from the case diary that on 11th March, 2024 a coordinate bench rejected the application of the married sister-in-law and mother of the accused relying upon the statement of the victim recorded under Section 164 Cr.P.C. The present police complaint has clearly stated the physical assault on her by the present petitioner
3. Considering the materials available in the case diary and the statement of the victim recorded under Section 164 Cr.P.C directly implicating the petitioner for the alleged physical assault along with other co-accused, we are not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the prayer for anticipatory bail of the petitioner is rejected and the same is accordingly disposed of.
5. 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)