

14.08.2024
SL No.36
Court No.29
(gc)
(Rejected)

CRM (A) 2754 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 filed in connection with Lalgola Police Station Case No.264 of 2024 dated 09.04.2024 under Sections 376/506 of the Indian Penal Code.

And

In the matter of : **Ajibur Rahaman**

- Petitioner.

Mr. Debapriya Samanta

....For the Petitioner.

Mr. Soumik Ganguly,

Ms. Ratna Ghosh

... For the State.

1. In spite of service, the victim is not represented.
2. The learned Counsel for the petitioner submits that the petitioner has been falsely implicated and husband of the complainant took some financial assistance from the present petitioner in cash and since the petitioner had demanded repayment of such amount, a false complaint has been lodged against the petitioner.
3. The learned Counsel for the State in opposing the prayer for anticipatory bail has produced the case diary.
4. Considering the materials available in the case diary, the statement of the victim directly implicating the petitioner in the commission of the alleged offence and the statement of the neighbours of the petitioner recorded under Section 161 of the Cr.P.C. which, prima facie, corroborates the statement of the victim recorded under Section 164 of the Cr.P.C. directly implicating the petitioner in the commission of the alleged

offence, we are not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the application for anticipatory bail is rejected.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)