

02.01.2024

Sl.21

Court No.29

(AD)

(Rejected)

C.R.M. (A) 4226 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No.**1151 of 2023** dated **31.08.2023** under Sections **354C/417/493** of the Indian Penal Code, 1860 corresponding to G.R. Case No.2830 of 2023.

And

In the matter of: **Sajjat Hossain @ Sajjad Hossain**

....petitioner.

Md. Wasim Akram

... for the petitioner

Mr. Sujan Chatterjee

...for the State.

The petition is taken up for consideration subsequent to the order dated October 16, 2023.

By such order, the petitioner was enlarged on interim anticipatory bail.

It is submitted at the bar that such order was passed without considering the materials in the case diary in view of the ensuing puja vacation.

We perused the materials in the case diary.

There is a statement recorded under Section 164 of the Code of Criminal Procedure of the victim. The victim implicates the petitioner in the offences alleged. She claims that physical relationship was entered into with her.

Need for custodial interrogation of the petitioner cannot be overlooked in the facts and circumstances of the present case.

In such circumstances, we are unable to extend the interim

anticipatory bail granted or grant the prayer for anticipatory bail.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 4226 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)