

05.10.2024
SL No.6
Court No.29
(gc)
(Rejected)

CRM (A) 3501 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Baguiati Police Station Case No.395 of 2024 dated 14.07.2024 under Sections 127/118/118(2)/303(2)/351/3(5) of the BNS, 2023.

And

In the matter of : **Dhanraj Soni**

- Petitioner.

Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Pratim Priya Dasgupta,
Mr. Randhir Singh,
Ms. Manisha Soni

....For the Petitioner.

Mr. Arnab Chatterjee,
Ms. Jonaki Saha

... For the State.

1. The petitioner earlier approached the learned District and Sessions Judge, Barasat for the self-reliefs and did not press the application as revealed from the order dated 5th September, 2024. Thereafter, this application has been filed for anticipatory bail.
2. Mr. Sandipan Ganguly, learned Senior Counsel appearing on behalf of the petitioner submits that out of business rivalry, a false complaint has been lodged against the petitioner. The petitioner denied any business between the parties. Mr. Ganguly has further submitted that the allegation of kidnapping is inherently improbable, having regard to the fact that the said two phones were with the victim from 9th July to 12th July, 2024.

3. The learned Counsel for the State in opposing the prayer has referred to the case diary, the statement of the complainant and the independent witnesses and also the statement of a co-accused. It is submitted that the owner of the house, where the petitioner was illegally confined, has narrated the incident and that has been recorded under Section 164 of the Cr.P.C.
4. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the statement of the complainant recorded under Section 164 Cr.P.C. read with the statement of other independent witnesses and the medical report, 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.)