

08.01.2024
Item No. 98
Ct. No. 29
Sb/cp

C.R.M.(A) 4681 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ramnagar** Police Station Case No. **0574 of 2023** dated **09.09.2023** under Sections **448, 376, 511 and 506** of the Indian Penal Code.

And

In the matter of : Nagendra Nath Mali

..... petitioner

Mr. Soumik Ganguli
Mr. Debangshu Bandhu

....for the petitioner.

Mr. Tanmoy Kr. Ghosh
Ms. Pritha Paul

....for the State.

The affidavit of service filed today be kept with the records.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023.

By such order, the Coordinate Bench granted interim anticipatory bail to the petitioner.

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

We perused the materials in the case diary.

The allegation is of an attempt to rape a physically challenged lady.

The statement of the grandmother of the victim apparently finds corroboration from the statements of neighbours recorded under Section 161 of the Criminal Procedure Code.

Considering the gravity of the offence and the involvement of the petitioner as transpired from the materials in the case diary, we are unable to confirm the interim order dated October 17, 2023 or grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 4681 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)