

11.11.2024
Sl. No.11
akd
[Rejected]

C. R. M. (A) 3679 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 27.09.2024 in connection with Malda Police Station Case No.427 of 2024 dated 25.06.2024 under Sections 365/506/34 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re: ***Kauser Alam @ Kouser Ali***

... .. Petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

... .. for the petitioner

Ms. Baisali Basu
Ms. Pritha Paul

... .. for the State

1. It is submitted on behalf of the petitioner there was a romantic relationship between the parties. It is further submitted petitioner has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Inspite of notice, nobody appears for the victim.
4. We have considered the materials on record including the statement of the victim. She alleges petitioner had forcibly taken her to a field and raped her. She is a minor. In view of gravity of the offence, we are of the opinion this is not a fit case to grant anticipatory bail to the petitioner.
5. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

