

22.11.2024
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as
[REJECTED]

C. R. M. (A) 4045 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Harishchandrapur Police Station Case No. 608 of 2024 dated 19.07.2024 under Section 64(1) of the Bharatiya Nyaya Sanhita, 2023.

In Re: ***Saheb Ali***.

... .. Petitioner

Mr. Soupal Chatterjee,
Mr. Anupam Das.

... .. for the petitioner

Ms. Baishali Basu,
Mr. Soumya Basu Roy Chowdhuri.

... .. for the State

1. Learned Advocate for the petitioner contends he has been falsely implicated. Hence, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits victim suffers from speech impairment. She had been forcibly raped.
3. We have considered the materials on record. Victim is a special lady. Petitioner broke the door and trespassed into her room at night and raped her. Incident was witnessed by her son who lodged First Information Report.
4. In view of the aforesaid incriminating materials, gravity of offence and vulnerability of the victim, we are not inclined to grant anticipatory bail to the petitioner.
5. Accordingly, the prayer for anticipatory bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)