

12.11.2024
Sl. No.6
akd
[Rejected]

C. R. M. (A) 3769 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 04.10.2024 in connection with Raghunathganj Police Station Case No.777 of 2024 dated 28.06.2024 under Section 376 of the Indian Penal Code. (G.R. Case No.2078 of 2024)

And

In Re: **Ali Md. Abu Sayeed @ Ali Mahammad Abu Said @ Kochi @ Kachi**
... .. Petitioner

Ms. Shabana Hasin
Ms. Samina Akter
... .. for the petitioner

Mr. Samrat Choudhury
... .. for the victim

Mr. Arnab Chatterjee
Mr. Debarshi Brahma
... .. for the State

1. It is submitted on behalf of the petitioner he has been falsely implicated owing to prior enmity. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the victim also opposes the prayer for anticipatory bail and submits petitioner is a civic volunteer and due to his undue influence, FIR was not registered. He had forcibly violated the victim lady.
4. We have considered the materials on record. Statement of the victim before Magistrate shows petitioner came to her house when she was alone and forcibly raped her. Petitioner is a civic volunteer and his undue influence over police administration cannot be ignored. Keeping in mind the gravity of the offence and the fact petitioner is a part of the

police administration, we are not inclined to grant anticipatory bail to him.

5. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)