

18.11.2024
21
Ct. No. 28
SG
[REJECTED]

C. R. M. (A) 3934 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Burdwan Police Station Case No. 765 of 2024 dated 10.08.2024 under Sections 75(2)/79/351(2)/121(1)/224 of the Bharatiya Nyaya Sanhita, 2023 (G.R. Case No. 4012 of 2024).

And

In Re: **Nuruddin Mondal**

... .. Petitioner

Mr. A.H. Molla,
Ms. Riya Das.

..... for the petitioner

Mr. Partha Pratim Das,
Mr. Debanshu Ghorai.

..... for the State

1. Petitioner submits his father had died in the hospital due to negligence. As a result, a commotion ensued. He has been falsely implicated.

2. Learned lawyer for the State opposes the anticipatory bail prayer. He contends petitioner had inappropriately touched the lady doctor.

3. We have considered the materials on record. Nothing is placed on record to show the dispute arose over medical negligence. On the other hand, statement of the victim lady doctor shows petitioner had inappropriately touched her and when she protested, he and others threatened her and created disturbance.

4. In light of the nature of crime involving outraging modesty of an on duty lady doctor, we are of the opinion this is not a fit case to grant anticipatory bail.

5. Accordingly, the application for anticipatory bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)