

21.11.2024
09
Ct. No. 28
SG
[REJECTED]

C. R. M. (A) 3919 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 Mahisadal Police Station Case No. 180 of 2024 dated 17.04.2024 under Sections 307/323/341/354/354A/354B/354D/427/448/506/509/34 of the Indian Penal Code (G.R. Case No. 847 of 2024).

And

In Re: **Chandan Jana and Anr.**

... .. Petitioners

Mr. Navanil De,
Mr. Subhrajit Dey.

..... for the petitioners

Mr. Arindam Sen,
Mr. Soumya Basu Roy Chowdhuri.

..... for the State

1. Petitioners submit there is a family dispute. Earlier criminal cases were registered alleging outraging of modesty of the womenfolk in the petitioners' family. They have been falsely implicated. They pray for anticipatory bail.

2. Nobody appears for the victim.

3. Learned Advocate for the State contends prayer for anticipatory bail of one Madan Panda was turned down.

4. We have considered the materials on record including the statement of the victim. Though petitioners allege there was prior enmity, unequivocal statement of the victim show they participated in disrobing her in public view. Co-accused Madan Panda's prayer for anticipatory bail has been turned down by a co-ordinate bench of this Court.

5. Hence, we are not inclined to grant anticipatory bail. It is open to the petitioners to appear before the trial Court and pray for regular bail in accordance with law.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)