

24.01.2024

379

Ct. No. 29

S.D.

REJECTED

C.R.M.(A) 5086 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **293 of 2023** dated **07.10.2023** under Sections **376(3)/34** of the Indian Penal Code and under Section **6** of the POCSO Act.

And

In Re : Gobinda Ghosh & Anr.

..... petitioners

Mr. Asraf Mondal

....for the petitioners

Mr. Debabrata Chatterjee,

Mr. Santanu Chatterjee

...for the State

CRM(A) 5086 of 2023 is dismissed as infructuous as petitioner no.1 was arrested and granted bail by the Jurisdictional Court.

So far petitioner no.2 is concerned, we find that, the victim in her statement under Section 164 Cr.P.C. ascribed a specific role to her in the incident.

Victim is the minor.

Considering the gravity of the offence and materials in the case diary, we are unable to grant anticipatory bail to the petitioner no.2 and the prayer for anticipatory bail of petitioner no.2 is rejected.

The application being C.R.M.(A) 5086 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

