

Court No. 29

31.01.2024

(A 519)

(S. Banerjee)

CRM(A) 5238 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **900 of 2023** dated **18.11.2023** under Sections 448/376/511/323/379/506 of the Indian Penal Code, 1860.

And

In the matter of: **Bapan Ghosh**

Mr. Asraf Mondal
Md. Bani Israil

... for the petitioner

Mr. Angshuman Chakraborty

... for the State

Victim recorded her statement under Section 164 Cr.P.C. where she narrated that the petitioner used to stalk her; more particularly, after her husband left for abroad. She stated that on the date of the incident, the petitioner entered into the house and tried to rape her. Her blouse was torn and she suffered injuries.

Contemporaneous injury report suggests an incident of assault on the victim. Seizure list shows a torn blouse being seized.

Complicity of the petitioner in the incident is apparent from the materials in the Case Diary.

In such circumstances we are unable to grant anticipatory bail to the petitioner.

The application, being CRM(A) 5238 of 2023, is rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)