

25.01.2024
27
Ct. No. 29
S.D.

C.R.M.(A) 42 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rajarhat** Police Station Case No. **249 of 2023** dated **28.08.2023** under Section **448/323/506/509/34** of the Indian Penal Code and Sections 3(1)(r)/3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

And

In Re : Smt. Anupama Chowdhury & Ors.

..... petitioners

Mr. Supriya Chattopadhyay
Ms. Debosri Chatterjee

...for the petitioners

Mr. Shekhar Barman

...for the State

Affidavit of service filed in Court be taken on record.

None appears for the defacto-complainant despite service.

Police are proceeding *inter alia* under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

We are conscious of the bar under Section 18 of the Act, 1989. We perused the police complaint in view of the bar under Section 18 of the Act.

We find from the complaint that the defacto-complainant alleges utterance of words offensive to the caste of the defacto-complainant, to the hearing of the public by the petitioners.

Consequently, we find the present application to be not maintainable.

C.R.M. (A) 42 of 2024 is disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)