

20.02.2024
Item No.607ML
Ct. No. 29
CHC
Rejected

C.R.M.(A) 5690 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Salar** Police Station Case No. **251/2023** dated **23.09.2023** under Sections **448/376/506(ii)/342** of the Indian Penal Code and Section **6** of Protection of Children from Sexual Offences (POCSO) Act.

And

In the matter of : Raki Sekh

..... petitioner

Ms. Jayeeta Mazumder

....for the petitioner

Mr. Joydeep Roy, Jr. Govt. Advocate

Mr. Arindam Sen

....for the State

Mr. Manas Kumar Das

....for the de facto complainant

Victim is a minor. She recorded her statement under Section 164 of the Criminal Procedure Code implicating the petitioner in raping her. Her claim stands corroborated by the medical examination report which speaks of old abrasion marks on her body.

There is a time lag between the date of the incident and the medical examination.

State and the de facto complainant are represented.

Considering the gravity of the offence and involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 5690 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)