

08.01.2024
Item No.22
Ct. No. 29
CHC
Rejected

C.R.M.(A) 5 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bolpur** Police Station Case No. **439/2023** dated **22.10.2023** under Sections **376/417/420** of the Indian Penal Code, 1860.

And

In the matter of : Biplab Roy

..... petitioner

Mr. Prajnadeepta Roy
....for the petitioner (in virtual mode)

Mr. Shiladitya Banerjee
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, petitioner was falsely implicated. There was a relationship between the petitioner and the de facto complainant. Subsequent to the such relationship turning sour, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary.

We perused the materials in the Case Diary.

Proclamation was issued as against the petitioner.

The de facto complainant recorded her statement under Section 164 of the Criminal Procedure Code where, she claims

that the petitioner as the Manager of a Bank, her husband obtained loan, took into the advantage of her precarious condition entered into physical relationship with her.

Considering the fact that, proclamation was issued as against the petitioner and the statement of the de facto complainant recorded under Section 164 of the Criminal Procedure Code, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 5 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)