

10.12.2020
tkm/ct 28
sl no. 67

C.R.M. 10147 of 2020

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Harishchandrapur P.S case no. 818 of 2020 dated 20.11.2020 under sections 448/376 of the IPC
And

In Re : Manirul Islam @ Sentu petitioner

Mr. Sourav Chatterjee
Mr. A Sarkar

..... for the petitioner

Mr. S S Imam
Mr. Subrato Roy

..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case over allegation of misappropriation of money under 'Indira Abash Yojona' Scheme. There is delay in lodging FIR.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that victim was forcibly raped by showing a knife.

We have considered the statement of the victim recorded under section 164 Cr.P.C. She has disclosed forcible sexual intercourse by the petitioner who brandished a knife at her. Delay in lodging FIR is minimal and the purported monetary dispute over 'Indira Abash Yojona' Scheme appears to be an afterthought as the complaint was lodged after registration of FIR.

Accordingly, we are of the opinion that this is not a fit case to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail is rejected.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)