

09.06.2021
Court No.28
SL No.68
PJ/KC

**CRM 3232 of 2021
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rejinagar P.S. Case No. 08 of 2021 dated 12.01.2021 under Sections 376/506 of the Indian Penal Code;**

And

In the matter of: **Roki Sk @ Ashraful Shaikh,**

....Petitioner.

Mr. Asraf Mandal,

... for the Petitioner.

Mr. N. Ahmed,
Mr. Anwar Hossain,
Mr. Benajir Hasna,

...for the State.

This application for anticipatory bail has been filed apprehending arrest in connection with Rejinagar P.S. Case No. 08 of 2021 dated 12.1.2021 under Sections 376/506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the complaint was lodged with the police station after a delay of 73 days.

Learned counsel for the State submits that the de facto complainant is 19 years of age and the petitioner is the brother-in-law of the complainant's husband.

It is now well settled mere delay in filing the complaint is not fatal to criminal proceedings.

However, considering the nature of allegations and the offences alleged, the case diary and having heard the parties, this Court is not inclined to grant relief to the petitioner under Section 438 of the Cr.P.C.

CRM 3232 of 2021 is accordingly dismissed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)