

CRM No.8330 of 2021

**Via video conference**

13.01.22

(S.R.)

Sl.20

Ct.32

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kaliachak** Police Station Case No.1192 of 2021 dated 27/10/2021 under Sections 376/406/493/34 of the Indian Penal Code;

And

**In re: Mijanur Rahaman**

**... petitioner.**

Mr. Arindam Sen  
Md. Sahinurzaman

...for the petitioner.

Mr. Prasun Kumar Dutta  
Mr. Amanul Islam

... for the State.

Mr. Sen, learned advocate appearing for the petitioner submits that there was a love relationship between the petitioner and the lady, who is a major. In spite of such consensual relationship, the petitioner has been falsely implicated. In view thereof, the petitioner may be granted anticipatory bail on any stringent condition. He further submits that the father of the petitioner had already been granted bail by the learned court below.

Mr. Dutta, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary. He further submits that there are strong incriminating materials against the petitioner and investigation is still continuing.

We have heard the learned advocates appearing for the respective parties and considered the materials in the case diary including the statement of the victim lady, as recorded under Section 164 of the Code.

*Prima facie*, it appears that there are incriminating materials against the petitioner. Considering the nature of accusations and the extent of his complicity in the alleged offence, we are not inclined to

exercise any discretion in his favour. As such, his prayer for anticipatory bail is rejected.

The application for anticipatory bail being CRM No.8330 of 2021 is, accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Md. Nizamuddin, J.)**

**(Tapabrata Chakraborty, J.)**