

17.05.2023

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rejected

C.R.M. (DB) No. 1976 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hariharpara Police Station Case No. 514 of 2022 dated 04.11.2022 under Sections 448/376/316 of the Indian Penal Code.

And

In Re : Kamrujjaman Sk. @ Kamrej Sk. @ Kamrujjaman petitioner

Mr. Anisur Rahman

.... for the petitioner

Mr. S. S. Imam

Mr. S. Kundu

.... for the State

Mr. Jisan Iqubal Hossain

Ms. Chandrima Debnath

.... for the de-facto complainant

Learned Counsel for the petitioner submits there is delay in lodging FIR. It is further submitted there was a love affair between the petitioner and the victim. Subsequently he has been falsely implicated. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

Learned Counsel for the de-facto complainant submits petitioner is a powerful person. Initially investigation was conducted in a perfunctory manner. Further investigation discloses correct facts.

We have considered the materials on record. It is alleged that the victim lady was raped while she was in the family way. She suffered injury and was hospitalised. Her statement is

corroborated by medical evidence. Initial investigation is done in a perfunctory manner and requires to be ignored. Keeping in mind the materials on record and nature of offence, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)