

19.07.2023
ML. 150
Court No. 29
Sourav
(Rejected)

C.R.M. (A) 2548 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Uluberia Women** Police Station Case No. **88** of **2022** dated **20.09.2022** under Sections **376(3)/506/34** IPC.

And

In the matter of: **Sk Ajibar**

....petitioner.

Md. Wasim Akram
Syed. Murshid Alam

...for the petitioner.

Mr. Saswata Gopal Mukherji, Ld. PP
Mr. Aniket Mitra
Ms. Jonaki Saha

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the victim recorded under Sections 161 and 164 Cr.P.C.
3. The victim is aged about 16 years old whereas the present petitioner is a married person. Taking advantage of the innocence of the victim, the petitioner is alleged to have exploited her sexually and impregnated her as found from the statement of the victim, her mother and the medical papers in the case diary.
4. In view of the seriousness of the allegation, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.
5. Accordingly, the prayer for anticipatory bail is rejected.
6. The application being **CRM (A) 2548 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

