

**24.08.2023**  
ML. 391  
Court No. 29  
Suvayan  
(Rejected)

**C.R.M. (A) 3203 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Domkal** Police Station Case No. **331 of 2023** dated **18.05.2023** under Sections **376(i)/506** of the IPC.

And

In the matter of: **Rahed Sk @ Rahed Ali Sekh**

....petitioner.

Mr. Anisur Rahman

...for the petitioner.

Ms. Faria Hossain

Mr. Anand Keshari

...for the State.

1. Heard learned Counsel for both the parties.
2. Though there has been delay in lodging of the FIR, that too, after reference under Section 156(3) Cr.P.C., it is not the stage to take cognizance of such fact.
3. The allegation against the petitioner is serious and we do not find any oblique motive on the part of the informant to falsely implicate the petitioner who admittedly is her neighbor at least *prima facie*, from police papers.
4. Regard being had to gravity of the offence and the seriousness of the charge, we are not inclined to exercise our discretion in favour of the petitioner under Section 438 Cr.P.C.
5. Accordingly, the prayer for the anticipatory bail is rejected.
6. The application being **CRM (A) 3203 of 2023** is dismissed.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

