

20.11.2023
SL. 10
Court No. 29
Suvayan
(Rejected)

C.R.M. (A) 4271 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Raghunathganj** Police Station Case No. **436 of 2023** dated **22.05.2023** under Sections **448/376D/506** of the IPC corresponding to G.R. Case No. **1258 of 2023**.

And

In the matter of: **Rahul Sk.**

....petitioner.

Ms. Shabana Hasin

...for the petitioner.

Mr. S. S. Imam

Mr. S. Kundu

...for the State.

1. Heard learned Advocate for both the parties.
2. From the materials placed before us, we find the role of the present accused petitioner in the alleged crime along with other co-accused persons are found to be *prima facie* prominent in course of investigation especially from the statement of the victim as recorded under Section 164 Cr.P.C. It also *prima facie* that there was no delay in lodging the FIR.
3. Considering the seriousness of the crime, 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) 4271 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

