

03.05.2024
Court No.01
Item No. 29

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

sg

CRM (DB) 205 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Pradhannagar Police Station Case No.1034 of 2023 dated 16.12.2023 under section 376 of the Indian Penal Code.

And

In Re: **Ajoy Singh @ Ajay Singh**

Petitioner

Ms. Pratusha Dutta Chowdhury

For the Petitioner

Mr. Ujjwal Luksom
Mr. Sagnik Sankar Sikdar

For the State

1. We have heard the learned Counsel for the petitioner. We have perused the written complaint as lodged in this case as well as the statement of the victim as recorded under Section 164 of the Code of Criminal Procedure. Though a plea is taken on behalf of the petitioner that FIR is sufficiently belated, we found prima facie explanation with regard to such belated FIR.
2. Considering the seriousness of crime, we are not inclined to exercise our discretion under Section 439 of the Cr.P.C. and the prayer for bail of the present petitioner is rejected. CRM(DB)205 of 2024 is, thus, dismissed.

(Soumen Sen, J)

(Partha Sarathi Sen, J)