

JPD-201
Ct No.01
29.07.2024
AK

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

CRM (A) 456 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Rajganj Police Station Case No. 542 of 2021 dated 09.12.2021 under Sections 363/365 IPC, 1860.

And

In the matter of: **Satro Yadav @Satrughan Yadav@
Satrudhar Yadav@Satrughan Banjara**

.... petitioner

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Mr. Shubham Kumar
Ms. Sayantani Das

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Subhasish Misra

... for the State

Mr. Arijit Ghosh

... for the *de facto* complainant

- 1.** The allegation of the petitioner is that the petitioner's son had an admitted amorous relationship with the victim girl which culminated in the victim girl starting to live with the petitioner's son.
- 2.** Subsequently, in the statement of the victim girl, however, serious allegations have been made against the petitioner and his other family members.
- 3.** However, such allegations are absurd it is argued, since as per those, the victim girl was ravished by the petitioner and his son in presence of their own family members.

4. Also, the medical report does not corroborate any application of force at any point of time.
5. Learned counsel for the prosecution as well as the *de facto* complainant seriously oppose the prayer for anticipatory bail.
6. Learned counsel for the *de facto* complainant contends that there are complaints to indicate that even during pendency of the present matter, serious threats are being issued to the victim girl and her family and as such, anticipatory bail ought not to be granted.
7. We find from the materials that although the petitioner might have an arguable case in trial, it would be premature at this stage for this court to enter into the evidentiary value of the medical report and/or other cogent documents.
8. The sheer gravity of the allegations transpiring from the statement of the victim girl and the threat perception do not justify grant of anticipatory bail at this stage.
9. Hence, in the light of the above observations, we are not inclined to grant anticipatory bail.
10. Accordingly, CRM (A) 456 of 2024 is dismissed, however, with liberty to the petitioner to surrender before the jurisdictional court and pray for regular bail.

(Sabyasachi Bhattacharyya, J.)

(Prasenjit Biswas, J.)