

05.
Court
No.29

28.01.2025

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 184 of 2025

In Re: - An application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 arising out of Gopiballavpur P.S.
Case No.66/2024 dated 27.11.2024.
And

In the matter of: - **Sujit Kumar Pani** ...petitioner.

Mr. Soumik Ganguli
Mr. Samir Kumar Adhikari ...for the petitioner.

Mrs. Shaila Afrin
Mr. Soumyadip Saha ...for the State.

Ms. Swastika Chowdhury ...for the *de facto* complainant/victim.

Dictated by Apurba Sinha Ray, J.

1. The petitioner claims that he has been falsely implicated in this case. The concerned lady refused to undergo medical examination. Considering his period of detention, he may be enlarged on bail.
2. Learned Counsel for the *de facto* complainant submits that the petitioner is a very influential person and he has committed rape in the precincts of the college. Investigation is not complete. If the petitioner is enlarged on bail, the prosecution may suffer.
3. Learned Counsel for the State has also opposed the prayer for bail. According to her, the victim claimed that her obscene pictures were video-graphed by the petitioner. The

investigation is still in progress, and if the petitioner is enlarged on bail, the prosecution may suffer. The Investigating Officer shall take immediate steps for seizing the mobile phone of the petitioner. There are sufficient incriminating materials against the present petitioner.

4. We have considered the materials on record including the statement of the victim recorded under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023. However, as the investigation is not complete, we are not inclined to allow the prayer for bail of the present petitioner, at this stage.
5. The application being CRM (DB) 184 of 2025 is accordingly dismissed.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)