

CRM (DB) 514 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Malda Police Station** Case No. **722 of 2024** dated **15.10.2024** under Sections 137(2)/140(3)/3(5) of the BNS.

- A n d -

In the matter of : Sk Musaid

.... Petitioner.

Mr. Sujoy Sarkar,
Mr. Mushraf Alam,

... For the Petitioner.

Mr. Avishek Sinha,
Ms. Kanchan Roy,

... for the State.

Dictated by Arijit Banerjee, J:-

1. Service report filed by the State be kept with the records.
2. In spite of service nobody appears for the defacto complainant/victim.
3. The petitioner says that he is in custody for about four months. He has been falsely implicated in this case. There was an affair between him and the victim girl. Since the victim girl's family did not accept the relationship, this false complaint has been lodged.
4. We have seen the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. The victim clearly implicates this petitioner. She says that she was drugged and taken to Muradabad and then was subjected to penetrative sexual assault.
5. In view of the aforesaid incriminating material against the petitioner and noting that charge is yet to be framed, we are not inclined to enlarge the petitioner on bail, at this stage.
6. CRM (DB) 514 of 2025 is, thus, dismissed.

7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Om Narayan Rai, J.)

(Arijit Banerjee, J.)