

AD 13
April 21, 2025
Ct. 28
SG

Reject

CRM(A) 1041 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Balurghat P.S. Case No.85 of 2025 dated 09.02.2025 under Sections 329(4)/64(1)/351 of the BNS, 2023.

And

In the matter of: *Subhankar Biswas*

... *petitioner*

Mr. Sabir Ahmed
Ms. Sujata Das
Md. Kutubuddin

... for the petitioner.

Ms. Shaila Afreen
Mr. S. Kundu

... for the State

Ms. Sananda Bhattacharyya
Ms. Bushra Khatun

... for the de facto complainant

Learned counsel appearing for the petitioner submits as follows. The petitioner is a police constable. The de facto complainant had an amorous relationship with a married lady having a 12 years child. After sometime she started demanding money. This broke the relationship as a result of which present FIR was lodged after six months of the incident.

Learned counsel for the de facto complainant strongly opposes the prayer and submits that the petitioner is still continuously threatening the de facto complainant over phone to withdraw the case.

Learned counsel for the State relies on the case diary and opposes the prayer for anticipatory bail. She submits that the FIR as well as the statement of the victim recorded before the learned Magistrate clearly make out a case. It is alleged that the petitioner had forced himself on the victim on a particular day and kept on threatening that he was working in the police force. She was also threatened to harm her minor child.

In view of the incriminating materials available in the case diary, including the statement of the victim recorded before the learned Magistrate, I am not inclined to grant anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected.

(Jay Sengupta, J.)