

AD 14
April 3, 2025
Ct. 28

SG

Reject

CRM(A) 1048 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Panchla P.S. Case No.46 of 2025 dated 11.02.2025 under Sections 64/77/351 of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: *Sk. Najir Hossain @ Sk. Nazir Hossain*
... *petitioner*

Mr. Kunal Ganguly

... for the petitioner.

Mr. Soumik Ganguly
Mr. Sharequl Haque

... for the State

Report filed on behalf of the State regarding service of notice upon the de facto complainant is taken on record and kept in a sealed cover.

Learned counsel appearing for the petitioner submits as follows. The victim's husband was away for work. The victim developed a relationship with the petitioner. There are numerous documents to evince the same and also pecuniary transactions between the two. On the fateful night, the mother-in-law of the victim got up and caught the petitioner red handed. This prompted the victim to lodge an FIR.

Learned counsel for the State relies on the case diary and submits as follows. The medical/injury report of the victim shows that she was subjected to sexual violence on that

night. Reliance is placed on the statement of the victim recorded before the Magistrate and the statement of the mother-in-law. It appears from the statement of the victim that during the incident she screamed as a result of which her mother-in-law woke up. The mother-in-law's statement apparently corroborates this version.

Considering the nature of allegations, the injury report and the statements of the victim and the mother-in-law, I am not inclined to grant anticipatory bail to the petitioner.

In view of the above, the prayer for anticipatory bail is rejected.

(Jay Sengupta, J.)

