

07.05.2025
Court No.28
Item No.12
ssi

CRM (A) 1368 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Bhagwangola PS Case No. **433 of 2024** dated **22.08.2024** under Sections **137/140(3)/65(1)** of the BNSS.

And

In the matter of: **Rasel Sk. @ Rabiul Sk.**

....Applicant/Petitioner.

Ms. Shabana Hasin

....for the petitioner

Mr. Jaydeep Biswas

Mr. Sharequl Haque

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The victim was about 16 years old. The petitioner was 18 years old. They two had a relationship and they had eloped with each other. Subsequently, the victim girl returned to her house.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and refers to the statements of the witnesses including the victim as recorded by the Police Officer, then by a Magistrate and thereafter, as related to the Child Councilor. While victim has clearly stated about the facts of kidnapping and confinement in all the statements, she stated about commission of sexual assault by the petitioner in the statements recorded by the police and by the Councilor, but not in the statement made before the learned Magistrate.

Considering the consistent statements of the victim girl that she was kidnapped and kept in confinement and her statements before the police and the Child Councilor that she was also

sexually assaulted by the petitioner, I do not think that this is a fit case for granting anticipatory bail.

Accordingly, the prayer for anticipatory bail to the petitioner is rejected.

(Jay Sengupta, J.)