

15.05.2025
Sl. No.09
Ct. 28
NB

C.R.M. (A) 1381 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beldanga PS Case No.118/2025 dated 02.03.2025 under Sections 115(2)/117(2)/329(4)/62/64 of BNS.

And

In the matter of : Mirjamal Sk. @ Mirjaman Sk. ... petitioner

Mr. Sabir Ahmed,
Mr. Suman Maitra,
Mr. Tasnim Ahmed,
Mr. Ezaz Ahmed.
...for the petitioner.

Mr. Anwar Hossain,
Ms. Sreetama Das.
...for the State.

Mr. Joy Chakraborty,
Mr. Sandip Dinda.
...for the de facto complainant.

Learned counsel appearing on behalf the petitioner submits as follows. The petitioner is a relative of the alleged victim. There was a family dispute, which led to a false implication in this case.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and points to the desperation of the petitioner that even after his attempt to rape the victim failed, he again came back and assaulted the victim because she had gone to the police to lodge a complaint.

Learned counsel appearing on behalf of the State relies on the statements of the victim and her minor son recorded before the

learned Magistrate. He also refers to the injury report for the assault and to the statements of neighbours.

Considering the nature of allegations and the materials available in the case diary including the statements of the victim and her minor son recorded before the learned Magistrate, I do not think this to be a fit case for granting anticipatory bail to the petitioner.

The application for anticipatory bail being **CRM(A) 1381 of 2025** is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)