

08/07/2025

D/L 38

Ct. No.28

S.Kundu

Rejected

C.R.M.(A) 1696 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with GR case no. 2715 of 2023 arising out of Mahishadal police station case no. 567 dated 2.9.2023 registered for investigation into offences punishable under Section 341/323/325/354/376/506/511/34 of the IPC.

In the matter of: Sk. Saharul Islam

... Petitioner

Mr. Nazir Ahmed

...for the petitioner.

Mr. Bhsakar ch. Manna

Mr. Biswajit Manna

...for the victim.

Mr. Sanjoy Bardhan

Ms. Manasi Roy

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits that there is a prior civil dispute between the private parties. In fact, the present case also refers to such dispute. The petitioner is absolutely innocent and has been falsely implicated.
2. Learned counsel appearing on behalf of the de-facto complainant strongly opposes the prayer for anticipatory bail of the petitioner and submits that it was he who had attempted to sexually assault the victim.
3. Learned counsel appearing on behalf of the State refers to the injury report, the statement of the victim recorded before the Magistrate as also the statement of

independent local witnesses present at pages 15, 16 and 56 of the case diary.

4. Considering the incriminating materials available in the case diary including the statements of the victim and the independent witnesses and the role ascribed to the present petitioner, I do not consider this to be a fit case to grant anticipatory bail to the petitioner.
5. Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)