

25.08.2025  
Court No.28  
Item No.39  
tbsr  
Reject

**CRM (A) 2502 of 2025**

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ashoknagar** P.S. Case No.144 of 2025 dated **08.03.2025** under Sections **85/316(2)/75/76/351(3)/117(2)** of the Bharatiya Nyaya Sanhita, 2023 and Section 8/12 of POCSO Act.

And

In the matter of: **XXXX**

....Petitioner.

Mr. Anubrata Dutta  
...for the petitioner

Mr. Debabrata Chatterjee  
Ms. Mausumi Sarkar  
....for the State

Affidavit of service and supplementary affidavit filed on behalf of the petitioner are taken on record.

Report filed on behalf of the State is also taken on record.

It appears that the de-facto complainant was notified about the date of hearing.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the sister-in-law of the de-facto complainant. The husband and the father-in-law were arrested and are on bail now. Some other co-accused were granted anticipatory bail. The marriage took place between the couple in 2021. The present petitioner has been falsely implicated of this case. The sister-in-law does not stay there.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. She submits that apart from

the torture meted out to the de-facto complainant wife, her four years old son was sexually assaulted by the grandfather and the aunt of the child, i.e. the present petitioner. There is a statement of minor child to that effect present in the case diary.

Considering the incriminating materials available in the case diary including the statements of the victim mother and the minor victim child recorded before the learned Magistrate, I do not consider this to be a fit case for granting anticipatory bail.

Accordingly, the application for anticipatory bail is rejected.

**(Jay Sengupta, J.)**