

04.09.2025

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C.R.M. (M) 1196 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Nadanghat Police Station Case No. 358 of 2024 dated 24.05.2024
under Section 376(2)(L) of the Indian Penal Code.

And

In Re : Samir Das

... Petitioner.

Mr. Dhananjay Banerjee
Mr. Pralay Hazra

... For the Petitioner.

Zareen Nasima Khan
Parvej Anam

... For the State

Learned counsel for the petitioner submits that the
petitioner is in custody for more than a year.

The statement of the victim recorded under Section
164 of the Code of Criminal Procedure varies from her
statement under Section 161 of the Code of Criminal
Procedure. The medical report does not corroborate her
statement recorded under Section 164 of the Code. The
petitioner prays for bail.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The victim lady is a differently abled person. She has
identified the petitioner in test identification parade. She has
also implicated the petitioner in her statement recorded
under Section 164 of the Code of Criminal Procedure.
Though the medical report is inconclusive, sufficient

material has transpired against the petitioner in the evidence of the victim lady.

Considering the nature of the offence and prima facie involvement of the petitioner therein, prayer for bail is rejected at this stage.

The application for bail is disposed of.

Case diary be returned.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)