

AD 50
August 27, 2025
Ct. 28
SG

CRM(A) 2668 of 2025

Reject

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chinsurah P.S. Case No.490 of 2023 dated 07.10.2023 under Sections 376/376(2)(n)/384/506 of the IPC.

And

In the matter of:

Partha Sarathi Ghosh

... petitioner

Mr. Jayanta Narayan Chatterjee, Sr. Adv.

Mr. Suman Chakraborty

Mr. Soumen Chatterjee

... for the petitioner

Mr. Binay Kumar Panda

Mr. Sarthak Mondal

... for the State

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

... for the de facto complainant

Learned senior counsel representing the petitioner submits that the petitioner and the victim had a relationship for a very long time. However, the petitioner is a very sick person. It would be evident from the recording of the police officer in the charge-sheet that when the investigating officer went to arrest the petitioner, he fell ill and had to be hospitalised. There are medical records to show that the petitioner suffered from breathing problem, Epilepsy and Asthma.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the

petitioner had duped the victim into a relationship. Thereafter, he obtained cash and valuable articles worth about Rs.13 lakhs. He had taken obscene photos and videos and used to blackmail the victim. Reliance is placed on an order dated 29.07.2025 passed by a Coordinate Bench of this Court in WPA 15316 of 2025.

It appears from the order dated 29.07.2025 passed in WPA 15316 of 2025 that earlier the writ petition was disposed of. Learned Advocates for the State and the respondent No.4 submitted before the Court that the respondent No.4 being the present petitioner had appeared before the learned Chief Judicial Magistrate, Hooghly. After it was found that although the petitioner appeared before the learned Chief Judicial Magistrate, Hooghly along with his Lawyer, he was allowed not to press the application. Among other things, this Court directed the learned Magistrate to issue further harsher process of law because the accused fleeing away of the process of law.

This order has not been challenged by the petitioner before the Hon'ble the Apex Court.

In fact, if the petitioner once appeared before the learned Magistrate, he was either to be released on bail or to be taken in the custody. In this case, the petitioner had appeared before the learned Magistrate, but strangely he was allowed to leave.

Considering the above and in view of the incriminating materials available in the case diary, including the statements of witnesses, the medical report and the bank statement, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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

(Jay Sengupta, J.)