

10.09.2025
Sl. No.23
NB

CRM (A) 2707 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 Berhampore P.S. Case No.1421/2025 dated 28.06.2025 under Sections 117(2)/329(4)/64 of the Bharatiya Nyaya Sanhita.

And

In the matter of: Paresh Ghosh ... petitioner

Mr. Jisan Iqubal Hossain.
...for the petitioner.

Mr. Anand Keshari,
Ms. Puja Goswami.
...for the State.

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

Despite service, no one appears on behalf of the alleged victim.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the father in law of the alleged victim. The allegation has been made after four days of the alleged incident that the petitioner had gone to the paternal house of the victim and tried to sexually assault her. The petitioner is absolutely innocent and has been falsely implicated in this case.

Learned counsel appearing on behalf of the State relies on the statement of the victim recorded before the learned Magistrate, the injury report and the statements of two neighbours who had seen the petitioner rush away from the victim's paternal house immediately after the incident. The statement of the victim before the Magistrate also refers to earlier advances made by the petitioner.

Considering the serious nature of allegations and the incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail to the petitioner.

The application for anticipatory bail being **C.R.M. (A) 2707 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.)