

12.09.2025
Court No.28
Item No.32
ssi

CRM (A) 2913 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Debra PS Case No.**391 of 2025** dated **13.06.2025** under Sections **329(4)/64(1)/351 (2)/ 3(5)** of the BNS, 2023.

And

In the matter of: **Sanjay Patra & others.**

....Applicants/Petitioners.

Mr. Ramasish Mukherjee

...for the petitioners

Mr.Soumyajit Das Mahapatra

Ms. Madhurai Sinha

Ms. Upasana Banerjee

...for the de facto

Mr. Aniket Mitra

Ms. Sanjida Sultana

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case due to political vendetta. The 50 years old victim lady has been used for such purpose.

Learned counsel appearing on behalf of the de facto complainant vehemently opposes the prayer for anticipatory bail. He submits that initially the FIR was not even registered by the police. The de facto complainant was constrained to file an application before the learned Magistrate. However, even after direction to register an FIR, the exact version given in the application under Section 175(3) of the BNSS was not taken as the FIR. A somewhat different version was recorded as the FIR excluding the names of two accused. This was done at the behest of the petitioners. A writ petition is pending in this regard. After lodging of the FIR, the de facto complainant was badly beaten up by the accused. A G.D. entry was lodged in this regard.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the victim recorded before the learned Magistrate and the medical report.

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

Accordingly, the application for anticipatory bail to the petitioners is rejected.

(Jay Sengupta, J.)