

03/11/2025
M/L – 25
Court No.28
S. Kundu
Rejected

C.R.M.(A) 3074 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Jhalda P.S. Case no. 130 of 2020 dated 5.10.2020 under Sections 417/376/506 of the IPC.

In the matter of: Santosh Gupta

...Petitioner.

Mr. Arunabha Jana

...for the petitioner.

Mr. Md. Anwar Hossain

Mr. Mujibar Ali Naskar

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Despite service no one appears on behalf of the de-facto complainant.
3. It appears that despite being married, the petitioner gave an advertisement in a matrimonial site in order to get married. The alleged victim whose husband had died, contacted the petitioner, became acquainted and entered into a relationship, although it is alleged by the victim in her statement before the Magistrate that on the first occasion the physical relationship was entered into by the petitioner forcibly. However, it was only much later, as claimed by the alleged victim, that she came to know about the marital status of the petitioner and the fact that he had many children as well.

4. Considering the incriminating materials available in the case diary including the statement of the alleged victim and other witnesses, I do not consider this to be a fit case to grant anticipatory bail to the petitioner.
5. Accordingly, the application for anticipatory bail is rejected.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)