

05.12.2025
Court No.28
Item No.10
tbsr
Reject

CRM (A) 3528 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kotwali** P.S. Case No. **942 of 2025** dated **22.08.2025** under Sections **126(2)/74/351(2)/109/79** of the Bharatiya Nyaya Sanhita, 2023 and Section 8 of the Protection of Children from Sexual Offences, 2012.

And

In the matter of: **Samrat Das**

....Petitioner.

Mr. Sumanta Das
....for the petitioner.

Mr. Prasun Kr. Dutta
Mr. Mirza Firoj Ahmed Begg
.....for the State.

Mr. Prabir Majumder
Ms. Sangeeta Chakraborty
....for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. There is previous animosity between the family members.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail. She submits, upon instruction from the de facto complainant present in Court, that out of fear the victim did not go for medical examination. However, there was a similar incident that had happened earlier.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the statements of the 14 years old victim and the statements of other witnesses including neighbours. From the statements of the neighbours, it appears that apart from the incident that allegedly happened on the particular day, the victim was suffering from misbehaviour and

harassment from the present petitioner. Things went to such an extent that the minor girl stopped coming out of her house.

Considering the incriminating materials available in the case diary including the statements of the victim and the neighbours and recent incidents, I do not consider this to be a fit case for granting anticipatory bail.

Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)