

10.12.2025
Court No.28
Item No. 15
tbsr
Reject

CRM (A) 3747 of 2025

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973/under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Mothabari** P.S. Case No. **466 of 2022** dated **15.12.2022** under Sections **448/376/506** of the Indian Penal Code, 1860.

And

In the matter of: Jiyem Sk. @ Md. Jiyem Sekh @ Md. Jiyem Sk.
....Petitioner.

Ms. Sabrina Parveen
....for the petitioner

Mr. Debabrata Chatterjee, Id. APP
Ms. Baishakhi Chatterjee
....for the State

Learned counsel appearing on behalf of the petitioner submits as follows. There was some kind of relationship between the alleged survivor and the petitioner for some time. An incredible story has been made out in the FIR that in the dead of night, the petitioner would come from his residence, which is 3 kms. away, to the place of occurrence to commit such crime, that too in front of a little child.

Learned counsel appearing on behalf of the State relies on the materials available in the case diary and strongly opposes the prayer for anticipatory bail. She refers to the statements of the victim made before the learned Magistrate, the statement of the 7 years old child made before the learned Magistrate as also on the medical report. The child was threatened with a weapon and the offence was committed.

Considering the above and the other incriminating materials available in the case diary, 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.)