

11.12.2025
Court No.28
Item No. 57
tbsr
Reject

CRM (A) 3893 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Domkal** P.S. Case No. **807 of 2025** dated **16.09.2025** under Sections **64(1)/85/115(2)/3(5)** of the BNS, 2023 read with Sections 3 and 4 of DP Act.

And

In the matter of: Mirjja Biswas

....Petitioner.

Mr. Ankan Das
Ms. Shradhya Ghosh
....for the petitioner

Ms. Manisha Sharma
Mr. Tirthankar Dhali
....for the State

Mr. Kingsuk Mondal
Mr. Pradip Kumar Kundu
....for the de facto complainant

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

Learned counsel appearing on behalf of the petitioner submits as follows. The allegation of rape is against a relation of the present petitioner. The present petitioner is the husband of the alleged survivor. There was a delay in lodging the FIR. The marriage took place about 7 months ago. The petitioner has been falsely implicated in this case. Charge sheet has been submitted.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and relies on the statements of the victim

recorded before the learned Magistrate, the medical report and the statements of other witnesses including neighbours.

The prosecution case is that the petitioner and others in-laws used to torture the victim for dowry. On a particular day, a relative of the present petitioner committed rape upon her. After she disclosed this to the petitioner and others, she was driven out from the matrimonial home.

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.)