

AD 49
December 23, 2025
Ct. 28
SG

Reject

CRM(A) 4116 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Uttara P.S. Case No.226 of 2025 dated 18.09.2025 under Sections 329(4)/126(2)/118(1)/118(2)/76/324(4)/303(2)/351(2)/3(5) of the BNS.

And

In the matter of:

Shambhu Routh and others

... petitioners

Ms. Soma Chowdhury (Bandhu)

... for the petitioners

Mr. Md. Adil Badr

Mr. M.Y.A. Ismail

... for the State

Mr. Soumyajyoti Sen

Ms. Indrani Nandi

... for the de facto complainant

Learned counsel for the petitioners submits that the aunt of the present victim/de facto complainant had lodged a criminal case against the petitioner Nos.1 and 2 alleging rape in the year 2023, in which trial is presently pending. In order to pressurise further the petitioner Nos. 1 and 2, the present FIR has been lodged to falsely implicate the petitioners. The said aunt had earlier attempted to implicate the petitioners falsely in another case, but failed to do so.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that pressure was exerted to subvert prosecution in the rape case. Lacerated injury was found on the head of a victim and on the nose of another victim.

Learned counsel for the State relies on the case diary and the statements of witnesses recorded before the learned Magistrate and other witnesses and the injury report, which shows serious injury inflicted on the head of a victim requiring 11 stitches and on the nose of another victim.

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.

The application for anticipatory bail is, thus, rejected.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)