

38. 09.04.2025
Court
No.1 (Papiya)

reject

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

CRM (A) 246 of 2025

In Re: - An application for anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Sahebganj Police Station Case No. 429 of 2024** dated **21/07/2024** under Sections **108/3(5)** of the Bharatiya Nyaya Sanhita ad read with Section 6 of Protection of Children from Sexual Offences Act and corresponding to POCSO Case No. 52 of 2024.

And

In the matter of: - **Subhajit Roy**

...petitioner.

Mr. Sudip Guha, Adv.

...for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP.
Mr. Kallol Nag, Adv.

...for the State.

1. The petitioner renews his prayer for anticipatory bail which was rejected earlier on December 2, 2024, in CRM (A) no. 787 of 2024. He says that since then, other accused persons have been granted anticipatory bail. Charge sheet has been submitted. Hence, his custodial interrogation is not necessary. He should be granted pre-arrest bail.
2. Learned State Advocate tells me, with reference to the material in the case diary, that the victim girl, about 17 and half years of age at the time of the alleged incident, was ravished by the petitioner and the victim girl subsequently committed suicide. I have seen the post-mortem report which says that the cause of

death is hanging ante-mortem. I have also seen the statements of witnesses recorded under Section 161 Cr.P.C.

3. On an overall assessment of the material on record and the *prima facie* involvement of the petitioner in the alleged crime and given the nature and gravity of the offence, I am not inclined to entertain the petitioner's prayer for anticipatory bail.
4. The application for anticipatory bail is **dismissed**.
5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
6. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)