

12.06.2025
Serial no. 37
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 364 of 2025

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **Mathabhanga P.S. Case No. 163 of 2024 dated 27.03.2024 under Sections 21(c)/29 of the NDPS Act, 1985 corresponding to NDPS Case No. 23 of 2024.**

-And-

In the matter of : Mahamadul Hoque Mia @ Mahamadul Hoque

... Petitioner(s)

Mr. Subhasish Misra
Mr. Satyajit Paul
Ms. Shreya Sarkar

... for the petitioner(s)

Mr. Abhijit Sarkar
Mr. Biswaroop Roy

... for the State

Learned advocate for the petitioner submits that the petitioner has been falsely implicated in connection with the instant case as the victim is an aged lady who is capable of understanding the consequences of the act, she *suo motu* left and, thereafter, returned and initiated the present case.

On the other hand, learned advocate appearing on behalf of the State, has produced the case diary and draws the attention of the Court to the statement of the victim under Section 183 of the BNSS.

I have considered the accusations made against the present petitioner by the victim before the learned Magistrate and having regard to the gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, prayer for anticipatory bail of the petitioner is **Rejected**.

Accordingly, CRM(A) 364 of 2025 is dismissed.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)