

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

24.11.2025
12(DL)
Ct. No.3
srm
(Rejected)

C.R.M. (A) 668 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to under Section 438 of the Code of Criminal Procedure, 1973 in connection with G.R. Case No.3106 of 2024 arising out of Phansidewa P. S. Case No.353 of 2024 dated 08.09.2024 under Sections 126(2)/64/70(1)/109 of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Additional Chief Judicial Magistrate, Siliguri, District: Darjeeling.

In the matter of : Md. Atabul

... Petitioner.

Mr. Arijit Ghosh,
Ms. Anjana Rakshit

...for the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das

...for the State.

Mr. Debajit Kundu

...for the *de facto* complainant.

1. Service report filed by the State is taken on record.
2. Learned Advocate for the petitioner submits that there is contradiction in the FIR vis-à-vis the statement of the victim under Section 164 of the Cr.P.C. The co-accused has been granted bail by this Court. Medical report does not support the case of the prosecution. Upon completion of investigation charge sheet has already been submitted. He seeks for anticipatory bail in favour of the petitioner.
3. Opposing such prayer for anticipatory bail, learned Advocate for the State as well as the *de facto* complainant

submit that there are implications of involvement of this petitioner in the alleged offence. They seek for dismissal of the prayer for anticipatory bail.

4. Perused the case diary and materials on record.
5. The victim in her statement implicates this petitioner of his involvement in the alleged offence. The victim alleges of such fact before the attending doctor. Considering the above and the nature and gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner.
6. Thus, the prayer for anticipatory bail is rejected.
7. **CRM (A) 668 of 2025** stands dismissed.

(Bivas Pattanayak, J.)