

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

21.11.2025
Item No. 14 (DL)
AN

(REJECTED)

C.R.M. (A) 708 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NJP P.S. Case No. 236 of 2025 dated 10.04.2025 under Section 69 of the Bharatiya Nyaya Sanhita, 2023 pending before the learned Additional Chief Judicial Magistrate, Siliguri.

In the matter of : **Pankaj Kumar**

... Petitioner.

Mr. Debasish Mukhopadhyay
Ms. Srishti Sarkar

...for the Petitioner.

Mr. Ujjwal Luksom
Ms. Namrata Das

...for the State.

1. Service report filed by the State is taken on record.
2. Learned advocate for the petitioner submits that the victim was previously married. However, she was deserted by her husband. Thereafter, the victim developed love relationship with the petitioner. There are no such incriminating materials against the petitioner of any forcible sexual act. He seeks for grant of anticipatory bail in favour of the petitioner.
3. On the contrary, opposing such prayer for anticipatory bail, learned advocate for the State submits that the victim is a deaf and dumb lady. The petitioner has entered into sexual relationship with the victim taking

advantage of the disability of victim. He seeks for dismissal of the application for anticipatory bail of the petitioner.

4. Despite service, none appears on behalf of the *de facto* complainant.
5. Perused the case diary and the materials on record.
6. The victim is a deaf and dumb lady. The statement has been recorded through the Special Educator Interpreter. From the statement of the victim, it is found that the petitioner entered into physical relationship with the victim. There are allegations of threatening the victim on the basis of posting her obscene photographs in social platform. Considering the aforesaid materials and the nature and gravity of offence, I am not inclined to grant the prayer for anticipatory bail in favour of the petitioner.
7. Thus, the prayer for anticipatory bail is rejected.
8. The application being **CRM(A) 708 of 2025** stands dismissed.

(Bivas Pattanayak, J.)