

22.12.2025
Court No.01
Item No.12
Avijit Mitra

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

CRM (A) 807 of 2025

In Re:- An application under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita, 2023;

And

In Re: Anukul Sarkar

-Petitioner

Mr. Sudip Guha
...for the Petitioner
Mr. Ujjwal Luksom,
Dr. Arjun Chowdhury
...for the State

Apprehending arrest in connection with Pundibari Police
Station Case No.701 of 2025 dated 07.08.2025 under Sections
329(3)/115(2)/117(2)/64/62 of the Bharatiya Nyaya Sanhita,
2023, the present application has been preferred.

Mr. Guha, learned advocate appearing for the petitioner
submits that the petitioner is 75 years of old and the complaint
was lodged 15 days after the alleged incident. An exaggerated
account of the incident was incorporated and the petitioner was
falsely implicated. As there is no possibility that the petitioner
would flee from justice, he may be granted anticipatory bail on
any condition.

Dr. Chowdhury, learned advocate appearing for the State
opposes the petitioner's prayer and draws the attention of this

Court to the statement of the victim as recorded under Section 183 of BNSS.

Mr. Ghosh, learned advocate appearing for the *de facto* complainant submits that the said complainant had to approach the appropriate court for direction to treat her complaint as FIR and pursuant to an order passed in the same, the FIR was registered and as such it is not a case that the *de facto* complainant had intentionally caused any delay in lodging the complaint.

Having heard the learned advocates appearing for the respective parties, the statement of the victim lady, as recorded under Section 183 of BNSS, the nature of accusations and the extent of complicity of the petitioner in the alleged offence, I am not inclined to exercise any discretion in his favour.

Accordingly, the application being CRM (A) no.807 of 2025 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tapabrata Chakraborty, J.)