

21.01.2025.  
Sl. No.12.  
Ct. No. 1  
SG  
(Rejected)

**IN THE HIGH COURT AT CALCUTTA**  
**Circuit Bench At Jalpaiguri**

**C. R. M. (A) 907 of 2024**

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Madarihat Police Station Case No. 127 of 2024 dated 29.10.2024 under Section 107 of BNS read with Section 12 of POCSO Act.

And

In Re: **Raja Khan @ MD Hasan.**

..... Petitioner

Mr. Debasish Mukherjee  
Ms. Madhushri Dutta,  
Ms. Srishti Sarkar.

.....for the petitioner

Mr. Ujjal Luksom,  
Ms. Namrata Das.

.....for the State

1. Petitioner contends there is a romantic relationship between him and the victim girl. Parents objected to the relationship. She was alive for 12 days but no dying statement was recorded. There is delay in lodging FIR. Accordingly, he prays for anticipatory bail.

2. Learned Advocates for the State oppose the bail prayer. They contend petitioner used to harass and threaten the victim. On the fateful day he had talked with the victim over mobile phone. When her parents returned they found her hanging. They brought her down and the victim stated she committed suicide due to the petitioner's harassment.

3. We have considered the materials on record. In the FIR it is alleged petitioner pretended to be in love with the victim. Under that excuse he used to harass and torture her. Victim was under stress. On the fateful day petitioner had telephonic conversation with the victim. Due to stress she committed suicide. When her parents arrived at the spot she stated she had committed suicide because of the petitioner. Subsequently, she expired in hospital. Her parents were busy with her treatment which resulted in delay in lodging FIR. Petitioner's stance that the victim committed suicide as her parents objected to her mixing with the petitioner appears to be improbable as the suicide had preceded a telephonic conversation with the petitioner. Victim's parents were not present at that time. Upon their arrival they found daughter hanging and she blamed the petitioner for her death.

4. In light of the aforesaid facts and as the victim who took her life is a minor, we are not inclined to grant anticipatory bail.

5. Application for anticipatory bail is, thus, rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**