

28.01.2025.  
Sl. No.16.  
Ct. No. 1  
SG  
[rejected]

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

**C.R.M. (A) 975 of 2024**

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhorer Alo P.S. Case No. 242/2024 dated 07.11.2024 under Sections 318(2)/64 of BNS.

And

In the matter of : **Shyamal Roy @ Gol Roy.**

... Petitioner.

Mr. Debajit Kundu.

...for the petitioner.

Mr. Kallol Acharjee,  
Ma. Namrata Das.

...for the State

Mr. Aniruddha Biswas.

...for the victim

1. Petitioner is a mason. Victim used to work as a helper. They developed intimate relationship. Subsequently, the relationship soured and petitioner has been falsely implicated. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. Learned Advocate for the victim contends she had been forced to cohabit with the petitioner. He is an influential person. Due to threats she was unable to lodge complaint earlier. Even after registration of FIR she is receiving threats.

4. We have considered the materials on record. Petitioner is a mason. Victim used to work in the construction site. In

her statement she claimed on 03.12.2024 petitioner forcibly raped her. Her mobile phone was broken and she was threatened. This explains the delay in registration of the case. It is contended that threats are continuing.

5. In light of the aforesaid materials on record disclosing a case of forcible rape and the allegation of threat held out by the petitioner against the *de facto* complainant, we are not inclined to grant anticipatory bail.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**