

11.3.2026  
SL No. 24  
Ct No. 237  
SB

CRM(M) 184 of 2026

In Re : An application for Bail under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pakhuria Police Station Case No. 245 of 2025 dated 21.5.2025 under Sections 137(2)/115(2)/109/74/3(5) of the Bharatiya Nyaya Sanhita, 2023 adding Section 70(1) of the Bharatiya Nyaya Sanhita corresponding to G.R. No. 1881/2025.

In the matter of : XXXX

.... Petitioner

Mr. Mritunjoy Chatterjee  
Mr. Imadodul Hoque

... for the petitioner

Mr. Koushik Kundu  
Mr. Mainak Gupta

... for the State

Mr. Subir Banerjee  
Ms. Sudeshna Maji

... for the de facto complainant

(Rejected)

Learned advocate appearing for the petitioner submits that when the bail prayer of the petitioner was rejected on December 3, 2025, the learned Judge of this Court granted liberty to the petitioner to renew the prayer for bail after the commitment of the case to the Court of Sessions.

Learned advocate for the petitioner further submits that the case has since been committed to the Court of the learned Additional Sessions Judge, Chanchal, Malda. The learned advocate has also produced a marriage certificate issued by the Malda Muslim Kazi Welfare Society, which suggests that the petitioner is the legally wedded husband of the victim lady. It is further submitted that the petitioner was not named in the F.I.R., and no allegation of rape was made therein. Reliance has also been placed upon the medical report of the victim girl in the present case.

Learned advocate appearing for the de facto complainant, on the other hand, has produced a photograph of marriage of the victim lady to contend that the petitioner is married to a different person and has a child aged about twelve years.

The Case Diary has been produced before this Court by the State. A perusal of the F.I.R. reveals that the victim lady made specific allegations against the petitioner. It further appears that she subsequently in her statement under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, vividly alleged that she was raped by the petitioner. There are sufficient other materials on record connecting the petitioner with the alleged offence.

This Court has also been informed that the charge hearing of the case is scheduled on 02.04.2026.

Accordingly, CRM (M) 184 of 2026 stands rejected.

(Kausik Chanda, J.)