

06/05/2026
D/L – 32
Court No.28
S. Kundu
Rejected

C.R.M.(A) 1220 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Baishnabnagar P.S case no. 184 of 2026 dated 18/02/2026 under sections 329(4)/115(2)/324(4)/74/3(5) of the BNS.

In the matter of: Kamal Sk & Anr.

...Petitioners.

Mr. Wasim Akram
Ms. S. Parveen

...for the petitioners.

Mr. Enamul Islam
Mr. Asif Ikbai Baidya

...for the de-facto complainant.

Mr. Arindam Sen
Mr. Raju Mondal

...for the State.

1. Leave is granted to the petitioners to amend the cause title.
2. Report filed on behalf of the State is taken on record.
3. Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case. There was no specific allegation of commission of rape as contained in the FIR. The alleged victim has also made subsequent complaint against the petitioners' family members. A counter FIR was lodged in this regard.
4. Learned counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He refers to the statement of the victim recorded before the learned Magistrate as contained at page 26 of the case diary, where the victim has clearly alleged commission of sexual assault by the petitioners. She had recorded the same allegation in her statement made before the treating doctor as would be evident from the medical report. Even in the FIR, she had stated about sexual assault. He also refers to the statements of immediate post-occurrence witnesses contained at pages 11, 12 and 13 of the case diary.
6. Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case to grant anticipatory bail to the petitioners.
7. Accordingly, the application for anticipatory bail is rejected.
8. The personal appearance of the Investigating Officer is noted and is dispensed with.

(Jay Sengupta, J.)