

24.6.2026
Court No.28
Item No.35
AB
Reject

CRM (A) 1694 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Chanchal P.S. Case No.274 of 2026** dated **26.3.2026** under Sections **85/64/115(2)/110/3(5)** of the BNS, 2023.

And

In the matter of: XXX

....Petitioner.

Mr. Amanul Islam
Mr. Arup Sarkar
Mr. Sourav Mukherjee
....for the petitioner

Mr. P. Karan Singh
....for the State

Memo of evidence filed on behalf of the State is taken on record.

Report filed on behalf of the State is taken on record and kept in sealed cover.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the brother-in-law of the alleged victim. The marriage between the victim and her husband took place about six years ago. The couple have two children. All and sundry in the household of the in-laws have been named as accused in the present F.I.R. There is a delay in lodging the F.I.R., which was registered after a direction was passed by the learned Magistrate. The petitioner has been falsely implicated in the case.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the statement of the victim recorded before the learned Magistrate as well as the statement of other witnesses including locals. The husband was not staying at the residence regularly. Taking advantage of this, the petitioner committed rape upon the alleged victim. When this was brought to the notice of the husband and other in-laws, she was threatened and abused and finally driven away. As per the learned counsel, the delay in lodging the F.I.R. was caused due to the intervening efforts at arbitration by the local villagers.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)