

13.01.2026
Court No.28
Item No.18
ssi

CRM (A) 4043 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Habra Police Station Case No.**414 of 2025** dated **17.10.2025** under Sections **64/115(2)/316(2)/318(4)/351(2)/3 (5)** of the BNS 2023.

And

In the matter of: **Dilip Byapari.**

....Applicant/Petitioner.

Mr. Surajit Basu
Ms. Jasika Alam

...for the petitioner

Mr. Pabitra Biswas
Mr. Somdyuti Parekh
Mr. H. K. Jha

...for the de facto

Mr. P. K. Dutta, Ld. APP
Ms. Rita Datta

..for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The allegation is that there was an offer given to the de facto complainant that the accused would get a job for her. Money was allegedly taken. There is also an allegation that the principal accused being the son of the present petitioner had raped the victim after taking her to hotels and the like. It is an admitted position that some money was paid back by the present petitioner. The mother of the principal accused was granted anticipatory bail.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that a promise of job was given by the petitioner and his son. Thereafter, the son sexually exploited the victim on several occasions. A total sum of

Rs. 6 lakhs was paid by the petitioner while only Rs. 2.5 lakhs was returned by the de facto complainant.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the FIR, the statements of witnesses. Medical examination has been refused by the victim.

Considering the above, the fact that here the principal accused appears to be the son of the petitioner, the alleged role ascribed to the present petitioner and the fact that medical examination was refused by the alleged victim, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)