

09.02.2026
Court No.28
Item No.19
tbsr
Reject

CRM (A) 4415 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 438 of the Cr.P.C., 1973 in connection with **Nakashipara** P.S. Case No.**838 of 2024** dated **14.09.2024** under Sections **376** of the IPC & 67 of IT Act.

And

In the matter of: **Najrul Sk. @ Vodor @ Nazrul Sk.**

....Petitioner.

Mr. Asraf Mandal
...for the petitioner.

Mr. Sanjay Bardhan
Ms. Debolina Das
.....for the State.

Mr. Sumanta Das
....for the de facto complainant.

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

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in this case. It has been alleged that in the absence of the husband of the alleged victim, the petitioner had committed sexually assault upon the alleged victim and took photographs and videos and sent the same to the husband. No such document is available to implicate the petitioner. There is a delay of 73 days in lodging the FIR.

Learned counsel appearing on behalf of the alleged survivor strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State relies on the case diary and the report and submits as follows. First, the petitioner has been clearly implicated in the statement of the victim recorded before the learned Magistrate. Secondly, there are immediate post

occurrence witnesses who had seen the petitioner flee away on the particular day including the minor daughter of the victim and a neighbour. Moreover, proclamation has been issued against the petitioner in this case.

Considering the above, the other incriminating materials available in the case diary and the fact that proclamation had already been issued, 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.)