

07.01.2026
Item no. 42.
Court No.3.
Rakib

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 1008 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Siliguri Women Police Station Case No. 57 of 2025 dated 11.06.2025 under Sections 69/351(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Dhiraj Kumar.

.....Petitioner.

Mr. Hillol Saha Podder

.....for the Petitioner.

Mr. Nilay Chakraborty, Ld. APP

Mr. Kallol Acharjee

Mr. Tapan Bhattacharjee

.....for the State.

Mr. Satarudriya Mukherjee

Ms. Tannu Agarwal

.....for the respondent no.2.

Learned advocate appearing for the petitioner submits that both the petitioner and the de-facto complainant are major who were in relationship and subsequently after breakdown of the relationship on the garb that the marriage was not solemnized the steps have been taken under the relevant provisions of the BNS as well as the Information Technology Act.

Learned advocate for the de-facto complainant submits supplementary affidavit enclosing the pen-drive which in the affidavit reflects relate to circulation of obscene materials.

Learned advocate for the State has produced the Case Diary and drawn the attention of the Court to the statement under Section 183 of the BNSS as also the factum of the materials which have been sent to the Cyber Forensic and Digital Evidence Examiners Laboratory.

Having considered that the petitioner throughout the investigation has evaded the process and there are materials supporting the case of the prosecution, as such, I am not inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail in CRM (A) 1008 of 2025 is **dismissed**.

Supplementary affidavit filed by the de-facto complainant be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)