

IN THE COURT OF SESSIONS JUDGE, DAKSHIN DINAJPUR AT BALURGHAT.

Present : Shri Anil Kumar Kushwaha (JO Code WB00945)

Crl. Misc. Case No.164 of 2026

CNR : WBDD01-000484-2026

Order No.02, dt.25.03.2026 :

This is an application u/s-482 of BNSS which has been preferred by the accused-petitioner namely-Saidul Islam, in connection with G.R. Case No.97/2026 arising out of Gangarampur P.S Case No.32/2026, dated 23.01.2026, u/s-69 of BNS.

The Ld. Advocate for the accused-petitioner and the Ld. P.P, both are present in Court.

De-facto complainant appeared before this Court by filing Vokatnama alongwith an objection petition. Let the same be kept with the record.

Before commencing the hearing of the instant application, this Court specifically queried from the Ld. Advocate representing the accused-petitioner and the Ld. P.P, as to whether any application for bail has been disposed of earlier by any superior Court or if any such similar application is pending in any other Court having jurisdiction to adjudicate the same.

Both, the Ld. Advocate representing the accused-petitioner and the Ld. P.P replied in the negative.

The Ld. Advocate representing the accused-petitioner submits that in the instant case the accused person has been falsely implicated and he has no nexus with the alleged offence. He submits that on account of the situation as prevailing the accused may be enlarged on anticipatory bail subject to any condition that might be imposed by this Court.

The Ld. P.P opposed such prayer for enlarging the accused persons on bail. Ld. P.P shown me the relevant pages of the CD.

Heard both sides. Perused the said application, the contents of the LCR and CD.

It transpires from the FIR that the de-facto complainant is a divorcee lady and she came in contact with the accused-petitioner through Facebook. After 2/3 months the accused-petitioner offered to marry the de-facto complainant. The de-facto complainant informed him about her previous marriage and subsequently they started talking each other and gradually physical relationship developed by false promise of marriage. The accused-petitioner is a Constable. The accused-petitioner took some photos and videos of their private intimacy and started blackmailing and threatening to make the said videos viral. The accused-petitioner several times forced the de-facto complainant for physical relationship with him. The accused-petitioner also took a sum of Rs.3,00,000/- from the de-facto complainant. Hence this case.

Section-69 of BNS discloses “whoever by deceitful means or by making promise to marry a woman without any intention of fulfilling the same, and has sexual intercourse with her, such sexual intercourse not amounting to the offence of rape shall be punished with imprisonment and fine”.

On perusal of the CD, I find that the I.O has collected sufficient materials against the accused-petitioner. The I.O has also seized one registered book in the name of Joy Baba Loknath Hotel dt.04-01-2026 in order to establish the fact as alleged in the FIR.

The accused-petitioner knowing fully well that the de-facto complainant is a divorcee lady developed physical relation with her with a promise to marry and subsequently denied.

Prima facie I find sufficient materials against the accused-petitioner and accordingly the prayer for anticipatory bail of the accused-petitioner stands **rejected**.

Crl. Misc. Case stands disposed of.

L.C.R and C.D be returned.

Let a copy of this Order, along with the L.C.R., be sent to the Ld. A.C.J.M., Gangarampur at Buniadpur for information and necessary action.

Dictated & corrected by me.

Sessions Judge in-charge,
Dakshin Dinajpur at Balurghat.

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