

Cr. Misc. Case No. 419 of 2026
CNR No. WBHW0100 1121 2026
Present: Sri Mainak Dasgupta
Sessions Judge, In-charge, Howrah.
J.O. Code – WB01070

Order No.03 dated 12.03.2026.

The application u/S.483 BNSS arising out of J.B. Pur P.S. Case No. 44 of 2026 dated 14.02.2026 u/Ss. 64(2)(m)/351(3) of BNS, filed by the accused/petitioner namely, Dipankar Show @ Dipankar Sau, is taken up for hearing.

SUBMISSIONS AND REASONS:

Ld. Advocate for the accused/petitioner submitted that the accused is in custody since 21.02.2026 and has been falsely implicated. Ld. Advocate for the accused further submitted that whatever incident had taken place between the victim and the accused, such were purely consensual. With such assertion Ld. Advocate for the accused prayed for bail.

Ld. P.P. has raised objection to the prayer and submitted that the instant case does not pertain to the offence of rape on any false promise but such is a case pertaining to forced sex and therefore, considering the gravity of the allegation, the prayer should not be allowed.

Ld. Advocate for the de facto complainant is present with the de facto complainant herself. The Vokatnama be kept in a sealed envelope.

I have perused the C.D. and the T.C.R.

Considered the submission made by the Ld. Advocate for the accused and the Ld Public Prosecutor.

It appears that the de facto complaint had alleged that her husband was employed at Kerala and taking undue advantage of such, the accused used to outraged her modesty and had also raped her and threatened her not to disclose about such to anyone.

I have perused the statements recorded and particularly that of the victim and it appears that it cannot be regarded that the sexual intercourse alleged to have been committed was a consensual one. It also appears that it has been alleged that the accused had raped the victim taking advantage of her financial constraint. It palpably appears that enlarging the accused on bail might jeopardize the further investigation.

Considering all such and also the incriminating materials against the accused in the instant case concerning a heinous offence, the prayer for bail stands rejected accordingly.

Let a copy of this order be sent to the Ld. C.J.M., Howrah.

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

The Criminal Misc. case is disposed of.

The order be uploaded in the CIS without delay.

Dictated & corrected by me.

S. J.

Sessions Judge, In-charge, Howrah.