

Cr. Misc. Case No. 1067/2026
CNR No. WBHW0100 2713 2026
Present: Subhash Kumar Kar
Sessions Judge, Howrah.
J.O. Code – WB00592

Order No.02 dated 15.06.2026.

The application u/S.482 BNSS arising out of Shyampur P.S. Case No. 258 of 2026 dated 19.05.2026 u/Ss. 64(2)(f)/115(2)/74/351(3)/3(5) of BNS filed by the accused/petitioners namely, 1] Sk Rabiul Islam, 2] Sk Saiful & 3] Sk Samsuddin Ali @ Sk Ansuddin, is taken up for hearing.

The petitioners have stated on affidavit that no application has been pending or rejected before or by the Hon'ble High Court till date.

Perused the petition and the C.D. Heard both sides.

Ld. Advocate appearing for the petitioners submitted that the main allegation has been made against one Sk Rakibul who is in custody and the present petitioners have no connection with the alleged crime and it is prayed to allow the prayer for anticipatory bail.

Ld. P.P appearing for the State referred the relevant portion of the C.D and submitted to reject the prayer for anticipatory bail.

De facto complainant is present in the Court in person.

Ld. Advocate appearing for the de facto complainant also raised objection and submitted that the present petitioners are threatening the de facto complainant for withdrawal of the case.

On perusal of the record it appears that this case relates to the alleged offence punishable u/Ss. 64(2)(f)/115(2)/74/351(3)/3(5) of BNS, and it is alleged in the FIR that one Sk Rakibul, the friend of husband of the de facto complainant, used to come to her house on different pretexts and while she understood the evil intention of the said person, she disclosed the same to her husband and she was rebuked by her husband and the said Sk Rakibul as usual used to attend her house and her husband used to send money in the bank account of the said Sk Rakibul during his absence in house and the said Sk Rakibul continuously attending her house despite her unwillingness and taking the advantage of her weakness, he tried to blackmail her and on 10.05.2026 at about 9 PM he came to her house in absence of her husband to handover the money remitted by her husband and had forcible sexual intercourse with her and left her house with a threatening to causing harm to her and while she disclosed the same to her husband, he proposed to give her Talak and being compelled, she went to house of Sk Rakibul and at about 2.30 PM disclosed the incident to the relatives and thereafter she was assaulted by the present petitioners along with other female inmates of the house and her modesty was outraged by them.

On perusal of the materials lying in the C.D including the statement of the victim recorded u/S.183 BNSS, it appears that investigation is in progress and the custodial interrogation of the present petitioners cannot be ruled out at this stage.

Accordingly, the prayer for anticipatory bail of the petitioners namely, 1] Sk Rabiul Islam, 2] Sk Saiful & 3] Sk Samsuddin Ali @ Sk Ansuddin, is considered and rejected.

C.D and T.C.R be returned.

The Cr. Misc. Case is thus disposed of.

Let a copy of the order be sent to the Ld. A.C.J.M., Uluberia for information and taking necessary action.

Dictated & corrected by me