

In the Court of District & Sessions Judge, Alipurduar.

Criminal Misc. Case No.457/2026

(CNR No.WBJP05-001124-2026)

Present : Sri Saugata Chakraborty, (WB00767)

Additional District & Sessions Judge-II,

In-Charge of Sessions Judge,

Alipurduar.

Sri Gourab Roy @ Ray.....accused/petitioner -Vs- State of W.B,

Order No.2, dt.11.06..26.

This is an application U/S 482 BNSS filed by accused/petitioner **Sri Gourab Roy @ Ray**, the resident of Panchkolguri, Dakshin Sonapur P.S. & Dist. Alipurduar, in connection with Alipurduar P.S. Case No.232/2026 dt. 27.05.26, u/s 126(2)/75/76/77/351(2) of BNS, corresponding to G.R. Case No.1203/2026.

Ld. Advocate appearing for the petitioner has contended that no notice was served upon the petitioner by the investigating agency u/s 35(3) of the BNSS and that a counter case earlier in point of time was filed by the present petitioner on 12.05.26 for assault and injury and that the allegations against the petitioner are unfounded and baseless.

Ld. Advocate for the accused submitted that no bail application has been filed or pending before the higher Court.

Ld. P.P has submitted that the notice was not served but the FIR is clearcut on the point that the petitioner entered into the house taking advantage of the absence of adult members of the family and that point of time disrobed the victim for the purpose of committing sexual assault upon the victim.

Perused the case record as the case diary.

Considering the materials on the case diary specially the statement of the victim recorded u/s 183 of the BNSS, I am not inclined to extent the benefits u/s 482 of the BNSS to the petitioner. Accordingly, the prayer for anticipatory bail is **rejected**.

Return CD.

Let a copy of this order along with LCR be sent to the learned CJM, Alipurduar and the I.O for information and taking necessary action.

Thus, the instant Criminal Misc case is disposed of.

Dictated & corrected

by me

Sd/-

Sessions Judge, Alipurduar

IN-CHARGE.

Sd/-

Sessions Judge, Alipurduar.

IN-CHARGE.

OFFICE OF THE DISTRICT & SESSIONS JUDGE,
ALIPURDUAR.

Memo No.

Dated

Copy of order forwarded to :

- 1) *Ld. CJM, Alipurduar along with LCR being **G.R. 1102/2026.***
- 2) *The I.O.*

Sessions Judge, Alipurduar.
IN-CHARGE.