

In the Court of the Additional Sessions Judge,
Diamond Harbour, South 24 Parganas
CMC 117/2026
Present : Dhiman Barman (WB 00923)
Raidighi PS Case No 74/2026
GR 357/2026
u/s 64(2)(m)/ 69/ 77/ 351(2) of BNS, 2023

Accused Petitioner : Reji Selim Molla

Order No 5
20/03/2026

Today is fixed for hearing on the bail petition u/s 483 BNS filed on behalf of the accused person namely Reji Selim Molla.

Ld Advocate for the accused/petitioner and the Ld. PP in charge both are present.

Record is taken up for hearing.

Heard Both sides.

CD produced.

At the very beginning Ld Advocate for the above-named accused person/petitioner submitted that no bail application is either filed or pending before any higher forum and that the accused person is in custody since 08.02.2026 and in the meantime a substantial investigation has already been concluded. It is further submitted that the period of detention already underwent by the accused is sufficient and as such under any condition he may be released on bail. It is again submitted that the accused and the victim girl were in a relationship for about 5/6 months during which they might have had consensus sexual intercourse and as such the same cannot be termed as a forceful sexual intercourse by the accused. It is further submitted that the accused has been falsely implicated in this case and considering the period of detention as well as the ensuing Eid festival, the accused may be enlarged on bail on any condition as would be deemed fit and proper by this court.

Ld Advocate for the defacto complainant raised strong objection against the bail prayer contending inter-alia, that the FIR discloses repeated forceful sexual intercourse by the accused and as such his bail prayer should not be considered.

Ld PP in charge in course of his reply submitted that investigation in this case has been completed and memorandum of evidence has also been furnished indicating the fact that charge sheet is likely to be submitted very shortly. He further by referring to the statement of the VG recorded u/s 183 CrPC and her medico-legal examination report, prayed for passing necessary order.

As a matter of fact this case was registered u/s 64(2)(m)/ 69/ 77/ 351(2) of BNS, 2023 based on the FIR lodged by the victim girl herself. The FIR reveals that she got acquainted with the accused on 15th May, 2025 at Raidighi college while on 28th May, 2025 the accused called her in a three storied house near Trisha Electronics under Raidighi PS where she and the accused both took drugs and under influence of such drug, the accused committed rape on her for the first time against her will and captured the intimate moments by making a video and that thereafter by showing such video, the accused offered his love to the victim girl and promised to marry her. Consequentially, the victim got

involved with the accused in a relationship which continued for about five months. Allegedly, since thereafter the accused started inflicting physical and mental torture upon the victim girl and when the latter tried to come out of that relationship, the former started blackmailing her by showing their intimate video footage in the name of spreading the same through internet. It is further alleged that the accused procured a sum of Rs 70,000/- from the victim girl by blackmailing her and on 05.02.2026 again raped her against her will and insisted her to go for a group sex with his friends.

The allegation made by the victim girl against the accused as made in the FIR referred above, is very specific and sufficient to constitute an offence u/s 64(2)(m) of the BNS, 2023 and even upon perusal of her statement recorded by the IO as well as the Ld Judicial Magistrate, I do not find anything contrary to this. Yet, this court fails to understand as to how Ld Advocate for the accused came to the conclusion that whatever happened between the victim girl and the accused was under a free consent of the former. The mark of injuries mentioned in the medico-legal examination report of the VG also discloses application of physical torture upon her and thus the materials in the CD substantially support the prosecution case. That being the position I do not find it to be a fit case where the accused should be granted bail at this stage.

Hence, it is,

Ordered

that the application u/s 483 BNS registered as CMC No 117/2026 is hereby rejected and accordingly disposed of.

Return the CD.

Let a copy of this order along with LCR be sent back to Ld. ACJM at Diamond Harbour for information.

Dictated and corrected by me:

Sd/-

Dhiman Barman (WB00923)
Additional Sessions Judge(I.C)
Diamond Harbour, S. 24 Parganas

Sd/-

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Additional Sessions Judge(I.C)
Diamond Harbour, S. 24 Parganas