

27.11.2024
Sl. No.15
akd
[ALLOWED]

C. R. M. (A) 4017 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 13.11.2024 in connection with Tehatta Police Station Case No.710 of 2024 dated 25.09.2024 under Sections 115(2)/69/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Mesor @ Meshor Sk.**

... .. Petitioner

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

... .. for the petitioner

Mr. Atif Ahmed Siddiqui

... .. for the State

1. It is submitted on behalf of the petitioner victim is an adult lady. It is further submitted the relationship was for three years. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. In spite of notice, nobody appears for the victim.
4. We have considered the materials on record including the statement of the victim. She was an adult lady at the time of cohabitation. Whether the cohabitation was out of love or due to deception may be assessed at the appropriate stage of the proceeding. Under such circumstances, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary and he may be granted anticipatory bail.
5. Accordingly, we direct in the event of arrest, the petitioner, namely, **Mesor @ Meshor Sk.**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of

like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)