

13.01.2025  
16.  
Ct. No. 28  
SG  
[ALLOWED]

**C. R. M. (A) 18 of 2025**

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hrapur Police Station Case No. 288 of 2024 dated 03.10.2024 under Sections 64(1)/318(2)/351(2) of BNS.

And

In Re: **Raj Kumar Sharma @ Raj Kr Sharma.**

... .. Petitioner

Ms. Lata Patil Modak.

.... for the petitioner

Ms. Sayanti Santra,  
Ms. Afreen Begum.

.... for the State

1. Petitioner submits victim was an adult lady. Allegation that she was raped by deception is false. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. Nobody appears for the victim.

4. We have considered the materials on record including the statement of the victim. In her statement it is contended on 20.07.2023 petitioner had forcibly cohabited with the victim. No contemporaneous complaint was filed which rules out possibility of forcible intercourse. Thereafter, the parties continued to have association.

5. In light of the aforesaid circumstances, whether the association between the parties was out of love and affection or on the false promise of marriage may be assessed at the

appropriate stage of the proceeding. Custodial interrogation for progress of investigation is not necessary and petitioner may be granted anticipatory bail subject to condition.

6. Accordingly, we direct that in the event of arrest, the petitioner viz., **Raj Kumar Sharma @ Raj Kr Sharma** be released on bail upon furnishing a bond of Rs.10,000/-, 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 petitioner while on bail shall meet the investigating officer once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**