

05.02.2025
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[ALLOWED]

C. R. M. (A) 178 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nakashipara Police Station Case No. 1076 of 2024 dated 18.11.2024 under Sections 115(2)/3(5)//69/76 of BNS, 2023.

***In Re: Dosmohammad @ Dost Mohammat Sk. @
Dos Mohammad Sk.***

... .. Petitioner

Mr. Anit Dey.

... .. for the Petitioner

Mr. Kunal Ganguly.

... .. for the State

Ms. Sangeeta Chakraborty.

...for the de-facto complainant.

1. Petitioner contends victim is a married lady. She cohabited out of her own will. Allegation that petitioner tried to traffic her for sexual exploitation is false. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State and the de-facto complainant oppose the prayer for anticipatory bail.

3. We have considered the materials on record including the statement of the victim. In her statement victim admits there was free mixing between the parties. Credibility of the allegation that petitioner attempted to traffic her for sexual exploitation is to be assessed in light of attending circumstances at the appropriate stage of the proceeding.

4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioner 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 BNSS. He 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.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)