

05.02.2025
Sl. No.102
tkm

C. R. M. (A) 261 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with English Bazar Police Station Case No.1557 of 2024 dated 25.10.2024 under Sections 376/417/313/506/34 IPC.

And

In Re: **Mahfujul Karim Masumi @ Mahafuzul Karim Masumi**
... .. **Petitioner**

Mr. B Manna

... .. for the petitioner

Ms. Sayanti Santra

Mr. Rahul Ganguly

... .. for the State

1. Petitioner contends victim is a major and educated lady. She was employed in a school. She voluntarily cohabited with the petitioner. Subsequently she has falsely implicated him in a criminal case. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer.
3. We have considered the materials on record including the victim's statement. In her statement victim contends there was a romantic relationship and they had cohabited together. It is alleged that the petitioner had compelled her to abort. No contemporaneous complaint on this issue was lodged. Whether the cohabitation was due to romantic association or on the false promise of marriage requires to be assessed at the appropriate stage of the proceeding. Under such circumstances we are of the opinion custodial interrogation for progress of investigation is not necessary and he may be granted anticipatory bail.
4. Accordingly, we direct that in the event of arrest, the petitioner shall 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 BNSS 2023.

5. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
6. The application being CRM (A) 261 of 2025 is disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)