

14.02.2025
12.
Ct. No. 28
SG
[Allowed]

C. R. M. (A) 475 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Thanarpara Police Station Case No. 31 of 2025 dated 30.01.2025 under Sections 108/126(2)/3(5)/308(2)/351(2) of BNS.

And

In Re: **Rakhi Mondal @ Rakhi Mandal and Ors.**

... .. Petitioners

Mr. Partha Pratim Das, Adv.

Mr. Asraf Mandal, Adv.

Mr. Tanbir Mandal, Adv..

.... For the petitioners

Mr. Subhamoy Bhattacharya, Adv.

Mr. Sobhan Gani, Adv.

.... For the State

1. Petitioners submit that one Sarif Ansari was blackmailing petitioner no. 1 by threatening he would circulate her obscene pictures on social media. Petitioner no. 1 lodged criminal case against the said Sarif Ansari being Thanarpara P.S. Case No. 28/2025 dated 28.01.2025. During pendency of the case Sarif Ansari committed suicide and petitioners have been falsely implicated. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State refers to the suicide note which implicates the petitioners.

3. We have considered the materials on record. Petitioner no. 1 lodged an earlier criminal case alleging Sarif Ansari (since deceased) had blackmailed her on the threat of circulating obscene pictures and made indecent proposals. She had lodged a criminal case against Sarif. Subsequently, Sarif committed

suicide. Prosecution has relied on the cryptic suicide note which mentions the names of the petitioners. Nothing is placed on record to show the allegations in the earlier FIR at the behest of the first petitioner are false. Contents of the suicide note require to be assessed from the aforesaid angle. Possibility of false implication by a frustrated person who had chosen the path of self-extermination and thereby exact vengeance on the petitioners owing to registration of the prior criminal case cannot be ruled out.

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

5. Accordingly, we direct that in the event of arrest, the petitioners viz., **(1) Rakhi Mondal @ Rakhi Mandal, (2) Subhash Mondal @ Subhas Mandal, (3) Beauti Mondal and (4) Simanta Mandal @ Simanta Mondal @ Siman Mondal** be released on bail upon furnishing a bond of Rs.10,000/- each, 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. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. Application for anticipatory bail is, thus, disposed of.

[Shampa Dutt (Paul), J.]

[Joymalya Bagchi, J.]