

18.02.2025
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as
[ALLOWED]

C. R. M. (A) 530 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ecopark Police Station Case No. 250 of 2024 dated 10.11.2024 under Sections 493/376 of the Indian Penal Code corresponding to Sections 81/64 of BNS, 2023.

In Re: Gourav Kumar @ Gaurav Kumar.

... .. Petitioner

Mr. Kaustav Bagchi,
Mr. Debayan Ghosh.

... .. for the Petitioner

Mr. Imran Ali, Ld. Jr. Govt. Adv.,
Mr. Rajes Jana.

... .. for the State

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh,
Mr. S. Das,
Mr. Sarthak Mondal.

...for the de-facto complainant.

1. Petitioner contends there was a romantic association between him and the victim lady. Victim lady was married to another person. Petitioner has been falsely implicated in the case alleging rape. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State and the de-facto complainant oppose the prayer for anticipatory bail. They contend petitioner cohabited with victim through blackmail. He had also induced her to part with money and valuables.

3. We have considered the materials on record including statement of the victim. In her statement victim admits there was free mixing between the parties. However, it is also contended petitioner had taken intimate pictures and had

blackmailed her. However, her statement does not show she was compelled to part with money through blackmail.

4. Under such circumstances, we are of the opinion though custodial interrogation of the petitioner for progress of investigation is not necessary, he requires to cooperate with the investigation and hand over the mobile phone for forensic verification.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Gourav Kumar @ Gaurav Kumar** 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 and on further condition petitioner No.1 while on bail shall meet the Investigating Officer once in a week until further orders and hand over the mobile phone which was used by the petitioner at the time of his association with the victim to the Investigating Officer for forensic examination. 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.

(Gaurang Kanth , J.)

(Joymalya Bagchi, J.)