

11.03.2025
Item No.52
Ct. No. 26
CHC
Allowed

C.R.M.(A) 856 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Krishnanagar Kotwali** Police Station Case No. **59** of **2025** dated **16.01.2025** under Sections **64/351(2)/115(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023, pending before the Learned Chief Judicial Magistrate, Nadia at Krishnanagar.

And

In the matter of : Monirul Mondal

..... petitioner

Mr. Avijit Ganguly, Advocate
....for the petitioner

Ms. Shreyashi Biswas, Advocate
Mr. Ronit Mukherjee, Advocate
....for the State

1. Despite service none appears for the de facto complainant.
2. Statement of the victim recorded under Section 183 of the BNSS suggests that, there is a preexisting relationship between the victim and the petitioner.
3. As to whether, the physical relationship was entered into between the victim and the petitioner on the terms as narrated in the statement under Section 183 of the BMSS by the victim may be decided at the trial.
4. Victim and the petitioner are adults.
5. In such circumstances, we grant anticipatory bail to the petitioner.

6. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS and on further condition that the petitioner shall meet the Investigating Officer once in a fortnight till the conclusion of investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
7. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Smita Das De, J.)