

17.03.2025
DL-61

(AD)
(Allowed)

C.R.M. (A) 857 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tehatta** Police Station Case No.**56 of 2025** dated **23.01.2025** under Sections **137(2)/140(3)/3(5)** of the Bharatiya Nyaya Sanhita, 2023 and Adding Section **6** of POCSO Act, 2012 and presently pending before the Learned Additional Chief Judicial Magistrate, Tehatta at Nadia in S.L. No.165 of 2025.

And

In the matter of: **Sagar Mondal**

....petitioner.

Mr. Ashok Das, Advocate
Mr. Amanul Islam, Advocate
Mr. Sourav Mukherjee, Advocate

...for the petitioner.

Mr. Suman De, Advocate
Mr. Saptarshi Chakraborty, Advocate

... for the State.

Mr. Asraf Mandal, Advocate
Mr. Tanbir Mandal, Advocate

... for the de facto complainant.

1. Petitioner, State and the de facto complainant are represented.
2. De facto complainant recorded her statement under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, where she acknowledges that, there was a past relationship between the petitioner and herself. She stated that, the physical relationship was with her consent.
3. Victim refused to undergo any medical examination.
4. Petitioner before us claims to be 23 years of age.
5. Considering such materials in the case diary and the fact that the victim refused to undergo any medical examination, 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on condition that the petitioner will report before the Investigating Officer once a fortnight till the conclusion of the 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. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
8. **C.R.M. (A) 857 of 2025** is, thus, disposed of.

(Debangsu Basak, J.)

(Smita Das De, J.)