

D/L41

17.03.2025

Rohit

ct.no.26

C.R.M. (A) 917 of 2025

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973/ under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection Khayrasole Police Station Case No. 40 of 2025 dated 22.02.2025 under Sections 329(4)/115(2)/117(2)/75/76/351(2)(3) with added Section 64 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Nirab Bala**

...Petitioner

Mr. Kunal Ganguly

...for the petitioner

Mr. Md. Zubair Alam

Mr. Abhinaba Mukherjee

...for the State

1. Defacto complainant recorded a statement under Section 183 of the BNSS from where, existence of a relationship between the petitioner and the defacto complainant appears. Both are adults.
2. Materials in the case diary do not corroborate the claims made by the defacto complainant at this stage.
3. In such circumstances, we grant anticipatory bail to the petitioner.
4. Accordingly, we direct that in the event of arrest the petitioner will 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 month till the conclusion of the investigation and on further 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.

5. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Smita Das De, J.)