

AD 16
April 11, 2025
Ct. 28
SG

Allowed

CRM(A) 1166 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nakashipara P.S. Case No.1165 of 2024 dated 24.12.2024 under Sections 108/3(5) of the BNS, 2023.

And

In the matter of: *Debosmita Shome*

... *petitioner*

Mr. Soubhik Mitter
Mr. Abir Ranjan Neogi
Mr. Karan Bapuli

... for the petitioner.

Mr. Z.N. Khan
Mr. Atanu Ghosh

... for the State

Mr. Sumanta Das
Mr. Avilash Tripathi

... for the de facto complainant

Learned counsel appearing for the petitioner submits as follows. The petitioner was aged about 26 years and was working in a super market. She had a relationship with another. But, the victim liked her and started sending messages and made other overtures. The petitioner did not respond. The victim was aged about 24 years. Sometime later, he committed suicide. The petitioner is in no way responsible in the death of the victim. Charge-sheet has already been submitted. The other co-accused were granted anticipatory bail.

Learned counsel for the de facto complainant opposes the prayer and submits that it was a case of a love triangle. Although the petitioner had a relationship with the victim earlier, she refused to continue it.

Learned counsel for the State relies on the case diary and indicates the statements of neighbours.

At the highest, the petitioner refused to continue the relationship with the victim. At the lowest, the petitioner refused to respond to the victim's advances.

In view of the materials available in the case diary and considering the fact that charge-sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of like amount each, one of whom must be local, 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, 2023 and on the further condition that the petitioner shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)

