

17.04.2025
Court No.28
Item No.12
tbsr
Allowed

CRM (A) 1189 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Hariharpara** P.S. Case No.**39 of 2025** dated **28.01.2025** under Section **69** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Sabir Ahamed**

....Petitioner.

Mr. Partha Sarathi Mondal

Mr. Kingsuk Mondal

...for the petitioner.

Mr. Binay Kumar Panda

Ms. Poulami Bose

.....for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the de facto complainant/victim.

Learned counsel appearing on behalf of the petitioner submits that the victim has alleged that the petitioner had entered into a relationship with her on a false promise of marriage. However, it is an admitted fact that the victim herself is a married lady.

Learned counsel appearing on behalf of the State draws attention to the statement of the victim recorded before the learned Magistrate. Charge sheet has already been submitted.

Considering the nature of allegations, the fact that the victim is an adult and married lady and the fact that charge sheet has already

been submitted, I am inclined to allow the application for anticipatory bail.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further condition that the petitioner shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)