

19.05.2025
Court No.28
Item No.14
tbsr
Allowed

CRM (A) 1211 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Gazole** P.S. Case No.**1176 of 2024** dated **24.12.2024** under Sections **316(2)/318(2)/318(4)/351(3)/69/81** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Subrata Mandal**

....Petitioner.

Md. Wasim Akram

...for the petitioner.

Mr. Joydeep Roy

Ms. Madhumita Basak

.....for the State.

Ms. Reshmi Khatun

....for the De facto complainant.

Learned counsels appearing on behalf of the petitioner and the de facto complainant submit that the misunderstanding that had led to the registration of the FIR have now been settled between the private parties.

Learned counsel appearing on behalf of the State relies on the further statement of the victim recorded before the learned Magistrate.

It appears from the statement of the victim recorded before the learned Magistrate that the articles given from the victim's side to the petitioner, in connection with the marriage that was fixed between the two, have all been returned and the victim's marriage has been fixed elsewhere.

In view of the materials available in the case diary including the statement of the victim, I do not think that custodial interrogation of the petitioner is required in this case.

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 and shall cooperate with investigation and shall meet the I.O. as and when required.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)