

28/04/2025

D/L 59
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1348 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Mogra police station case no. 79/2025 dated 18.2.2025 arising in G.R. case no. 507/2025 under Section 64(2) (m)/77/79/117(2) /318(2)/351(2) of BNS.

In the matter of: Ranjan Prasad

... Petitioner

Mr. Prasanta Kr. Banerjee
Mr. S. Maity
Mr. P. Biswas

...for the petitioner.

Mr. Nilanjan Adhikari
Ms. Oindrila Sinha
Mr. Nitin Sharma

...for the de-facto.

Mr. Sukanya Bhattacharyya
Mr. R. Jana

...for the State.

1. Vakalatnama filed by the de-facto complainant is taken on record.
2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is working in the Indian Army and is posted at Siachen. There was a relationship between the petitioner and the victim. The petitioner still wants to marry the victim. As the petitioner could not attend the victim's birthday in time, this false case has been started by her.
3. Learned counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail and submits as follows. The relationship between the

petitioner and the victim ended quite some time ago. Thereafter, the petitioner again started an acquaintance. In the process, the two again went to a place where the victim was assaulted by the petitioner leading to serious injury on the nose.

4. Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits as follows. As per statement of the victim, after the two became re-acquainted subsequent to the earlier break up, they went to a place and an altercation ensued. The petitioner hit the victim on her nose and she suffered serious injury.
5. In view of the nature of allegations and the fact that two had been in some kind of relationship for quite long, I do not think that custodial interrogation of the petitioner is required in this case.
6. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioner shall cooperate with the investigation, the petitioner shall not enter into the jurisdiction of Mogra Police Station for a period of six months from date and shall not threaten or intimidate witnesses.
7. Accordingly, the application for anticipatory bail is allowed.

8. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)