

AD 14
May 8, 2025
Ct. 28
SG

Allowed

CRM(A) 1379 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Debra P.S. Case No.597 of 2023 dated 03.12.2023 under Sections 376(2)(N)/354C/506/34 of the IPC and 67 & 67A of the Information and Technology Act.

And

In the matter of:

Kishore Kumar Pradhan @ Kishore Pradhan
... *petitioner*

Mr. Deep Chaim Kabir, Sr. Adv.
Mr. Md. Zeeshan Uddin
Mr. Mazhar Hossain Chowdhury
Ms. Amrin Khatoon
Mr. Rishav Kar

... for the petitioner

Mr. Soumik Ganguly
Mr. S. S. Saha

... for the State

Learned senior counsel representing the petitioner submits that the petitioner and the victim were married to their respective spouses. They met through social media and got acquainted. They entered into a relationship which continued for about six months. After the relationship soured, the present FIR was registered. Subsequently, the de facto complainant/victim had made a prayer before the learned Sessions Judge that they did not have any objection if anticipatory bail was granted to the petitioner. The prayer could not be allowed because it was the second application made by the petitioner.

Learned counsel for the State relies on a report which shows that the de facto complainant/victim was notified about the date of hearing. He refers to the materials available in the case diary,

including the statement of the victim recorded before the learned Magistrate. There is a further allegation that the petitioner had opened a face book account with fake ID and uploaded some intimate photographs of the victim. Such photographs may be present in the petitioner's mobile phone.

It is submitted on behalf of the petitioner that as per the FIR, the ID was the same for face book account through which the two met.

Considering the materials available in the case diary, the fact that the victim and the petitioner were adults and they were in some kind of a relationship for some time, 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 conditions that the petitioner shall meet the investigating officer as and when required, shall not threaten or intimidate witnesses and shall immediately submit his mobile phone to the investigating officer who shall seize it in accordance with law.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)