

07/05/2025

D/L 38
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1512 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 Krishnagar Women P.S. Case no. 9 of 2025 dated 13.1.2025 under sections 351(2)/69/123 of the BNS.

In the matter of: Prithwiraj Mondal

... Petitioner

Mr. Joydeep Biswas
Mr. Asraf Mondal
Mr. K. Ghosh

...for the petitioner.

Mr. Bidyut Kr. Roy
Ms. P. Bose

...for the State.

1. Affidavit of service filed in Court today is taken on record.
2. Learned counsel appearing for the petitioner submits as follows. The alleged victim is about 30 years old and the petitioner is 24 years old. They met in the social media and got acquainted. They went to places and had a physical relation. After about 95 days of the alleged incident, the FIR was lodged. This is at best a case consensual relationship between two adults.
3. Learned counsel appearing for the State relies on the case diary and submits that there are two statements of the victim recorded before the learned Magistrate that contradict each other.
4. Considering the nature of allegations, the two statements of the victim recorded before the learned Magistrate, the

fact that there was a some kind of relationship between two adults for a length of time and the fact that charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

5. 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 and the petitioner shall not threaten or intimidate witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)