

AD 07
July 11, 2025
Ct. 28
SG

Allowed

CRM(A) 1846 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haldia Women P.S. Case No.0123 of 2023 dated 27.10.2023 under Sections 354A/448/506 of the IPC and added Sections 376/511 of the IPC.

And

In the matter of:

Manoranjan Gayen

... petitioner

Mr. Ayan Basu
Mr. Sourav Bera
Mr. Sumit Routh

... for the petitioner

Mr. Imran Ali
Mr. Tirthankar Dhali

... for the State

Mr. Tanmay Basu
Mr. Ambika Sasmal

... for the de facto complainant

Learned counsel for the petitioner submits that the alleged victim approached the petitioner and became acquainted as a law intern. Subsequently, the alleged victim and her boyfriend took away a laptop from the petitioner. The petitioner was constrained to lodge the FIR on 18.10.2023. As a counterblast, the present FIR was lodged on 27.10.2023. A charge-sheet has been submitted in respect of the case started by the petitioner against the de facto complainant and the laptop has also been recovered.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that the petitioner has been threatening the de facto complainant.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the case diary and refers to the statement of the victim recorded before the Magistrate and other statements recorded by the police. Charge sheet has been submitted.

Considering the nature of allegations and the fact that a prior criminal case started by the petitioner against the de facto complainant had ended in charge-sheet and the fact that a charge-sheet has been submitted in this case, 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) 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 appear before the trial court and pray for bail within four weeks from this date and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)