

01.08.2025
Court No.28
Item No.47
ssi

CRM (A) 2404 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Banshdroni PS Case No.**355 of 2025** dated **08.04.2025** under Sections **417/376/377/493/354/354B/323/341/385/386/420/506(II)/120B** of the Indian Penal Code.

And

In the matter of: **Vishwajeet Kumar Jha & others.**

....Applicants/Petitioners.

Mr. Subhabrata Chowdhury

...for the petitioners

Ms. Nandini Chatterjee

...for the de facto

Ms. Amita Gour, Sr. Govt. Counsel

Mr. Debarshi Brahma

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 and the de facto complainant had been living together for quite some time. They are both employees in a bank. After the relationship soured, the de facto complainant decided to make false allegations as in the present complaint.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. She submits that not only has been sexually exploited, she has also been made to give moneys to the relatives of the petitioner no.1 in lieu of dowry.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statement of the victim recorded before the learned Magistrate as also statement of another victim making similar allegations of cheating against the petitioner no.1.

It appears that the petitioner no.1 and the de facto complainant are bank employees and had been living together at different places for considerable length of time. The FIR also reflects the grievance of the de facto complainant that the petitioner no.1 was thinking of marrying a third person.

Considering the above, the fact that the couple had staying together for considerable length of time and the materials available in the case diary, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

In the event of arrest, the petitioners 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 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 conditions that the petitioners shall not threaten or intimidate witnesses and shall co-operate with investigation. The petitioner no. 1 shall meet the I.O. twice a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)