

20.08.2025
Court No.28
Item No.62
ssi

CRM (A) 2475 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Murarai PS Case No.**231 of 2025** dated **19.06.2025** under Section **69,49 and 3(5)** of the BNS, 2023.

And

In the matter of: **Bishal Rajbanshi & others.**

....Applicants/Petitioners.

Mr. Souvik Ganguly

...for the petitioners

Mrs. Shaila Afrin

Ms. Diksha Ghosh

..for the State

Affidavit of service filed on behalf of the petitioners is taken on record.

Report filed on behalf of the State regarding service of notice is also taken on record.

No one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits that in this case, the petitioner no.1 was a minor at the relevant time while the victim was a major. There was a consensual relationship between the two and he has been falsely implicated in this case.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. She submits that the victim was a married lady but she had left her husband. They stayed at the residence of the lady for some time.

Considering the materials available in the case diary, the fact that there was some relationship between the two for a certain length of time and that a question of promise to marry has been raised in case

of an alleged victim who was already married, I find that custodial interrogation of the petitioners is not 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 application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)