

**09/09/2025**

**D/L 47**

Ct. No.28

S.Kundu

Allowed

**C.R.M.(A) 2563 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 CNR no. WBML010024422025 arising out of English Bazar Police station case no. 937 of 2025 dated 9.5.2025 under sections 115(2)/126(2)/3(5)/351(2)/74 of the BNS.

In the matter of: **Krishna Saha**

... Petitioner

Mr. Biswajit Tiwari

...for the petitioner.

Mr. Imran Ali

Mr. S. Baial

...for the State.

1. Report filed on behalf of the State is taken on record.
2. It appears that pursuant to a direction passed by this Court the mobile phone of the petitioner as produced by the petitioner has been seized.
3. Despite service no one appears on behalf of the de-facto complainant.
4. Heard the learned counsels for the parties.
5. Perused the case diary.
6. Considering the fact that there was some kind of a relationship between the petitioner and the de-facto complainant, both of whom were adults, the fact that they went to places together and the subsequent seizure of the mobile phone of the petitioner by the Investigating Agency upon production by him, I do not think that custodial

interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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

**(Jay Sengupta, J.)**