

18/08/2025

D/L 42

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2532 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 English Bazar police station case no. 431 of 2025 dated 13.3.2025 corresponding to GR case no. 445 of 2025 under sections 69/351(1)/3(5) of the BNS.

In the matter of: Sudip Saha

... Petitioner

Mr. Subhadeep Ghosh

Mr. Sourav Mukherjee

Ms. Papiya Bhowmick

...for the petitioner.

Mr. Antarikhya Basu

Mr. D. Dutta

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. Admittedly, there was a relationship between the petitioner and the victim lady. Both were adults. It is alleged that there was promise to marry, but the proposal for marriage did not mature. Other co-accused have been granted anticipatory bail in this case.
2. Learned counsel appearing for the State denies the allegations and opposes the prayer for anticipatory bail. He submits that some objectionable pictures and videos were also taken. The petitioner took the victim to places. A proclamation has been prayed for although during the pendency of this application.
3. Considering the materials available in the case diary including the statement of the victim, her refusal to

undergo medical examination and the fact that there was some kind of relationship between the two adults for a certain length of time, 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.

4. 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 fortnight till submission of report in final form and shall deposit his mobile phone to the Investigating Officer within a fortnight from date, which shall upon production, be seized by the Investigating Officer in connection with the case in accordance with law.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)