

17.09.2025
Court No.28
Item No.21
ssi

CRM (A) 2841 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Harirampur PS Case No. **133 of 2025** dated **01.07.2025** under Sections 331/64/351(2)/3 (5) of the BNS 2023.

And

In the matter of: **Motahar Hossain & others.**

....Applicants/Petitioners.

Mr. Sajal Kanti Bhattacharyya
Mr. A. K. Chakraborty

...for the petitioners

Ms. Sonali Das
Ms. Suparna Chatterjee

...for the State

Mr. Kaushik Choudhury

...for the de facto

Heard the learned counsels for the petitioners, the de facto complainant and the State.

The allegation made by the alleged victim is that the victim had a relationship with the petitioner no.1. But, the petitioner no.1 refused to marry him. After some time, the petitioner got married to another person. After this, the petitioner no.1 started to threaten the victim with photographs and videos recorded earlier. In fact, he circulated some photographs. Thereafter, on a particular occasion, he forcibly committed raped upon her.

The petitioner nos. 2 and 3 are the family members of the petitioner no.1.

Considering the serious nature of allegations and the materials available in the case diary including the statements of the victim and the neighbours and the respective roles ascribed to each of the

petitioners, while I am inclined to grant anticipatory bail to the petitioner nos. 2 and 3, the application for anticipatory bail of the petitioner no.1 is rejected.

Accordingly, the application for anticipatory bail of the petitioner nos. 2 and 3 is allowed.

However, in the event of arrest, the petitioner nos. 2 and 3 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 petitioner nos. 2 and 3 shall not threaten or intimidate the witnesses and shall co-operate with investigation. The petitioner nos. 2 and 3 shall meet the Investigating Officer as and when required.

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

(Jay Sengupta, J.)