

22.09.2025
Court No.28
Item No.29
tbsr
Allowed

CRM (A) 2957 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Domkal** P.S. Case No.**361 of 2025** dated **02.05.2025** under Sections **69/351(3)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Rafikul Islam

....Petitioner.

Ms. Minoti Gomes
...for the petitioner.

Mr. Sardar Sahin Imam
Mr. Aritra Bhattacharya
.....for the State.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The FIR was lodged four months after the alleged date of occurrence. Admittedly, the petitioner and the alleged victim who was a married lady had a relationship.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that as per the statement of the victim recorded before a learned Magistrate, after such relationship the petitioner had the alleged victim get a divorce from her husband, but did not marry her.

Considering the above, the materials available in the case diary, the admitted fact that there was some kind of a relationship between the two for a particular length of time and the fact that charge sheet

has been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 condition that the petitioner shall not threaten or intimidate witnesses and shall surrender before the learned jurisdictional Court and pray for bail within six weeks from this date.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)