

24.11.2025
Court No.28
Item No.10
ssi

CRM (A) 3189 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Domkol PS Case No.**70 of 2025** dated **25.01.2025** under Sections **62 (m)** of the BNS, 2023 and Section 6 of the POCSO Act.

And

In the matter of: **Hossain Mondal @ Hasan Mondal**

....Applicant/Petitioner.

Mr. Jaydeep Biswas
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Kaushik Ghosh
Mr. Gourav Roy

...for the petitioner

Ms. Sayanti Santra
Mr. Prakash Mishra

..for the State

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

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The talk of marriage between the petitioner and the de facto complainant did not fructify. Thereafter, they two entered into a relationship, which turned sour later on. Without disclosing the fact that the de facto complainant had earlier lodged an application before the learned Magistrate, the present FIR was registered. Later, the two complaints were amalgamated. Although, the incident allegedly occurred in 30.12.2024, the FIR was lodged on 25.01.2025.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statement of the 17 years old victim and the injury report.

Considering the delay in lodging the FIR, the statement of the victim giving an inkling that there was some kind of a relationship between the two for some time which, although, ended allegedly in an unfortunate manner and the fact that a charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

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 conditions that the petitioner shall not threaten or intimidate witnesses and shall surrender before the learned Jurisdictional Court and pray for bail within four weeks from this date.

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

(Jay Sengupta, J.)