

12/11/2025
D/L – 96
Court No.28
S. Kundu
Allowed

C.R.M.(A) 3453 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Belda P.S. case no. 301 of 2025 dated 28.7.2025 under Sections 85/115(2)/117(2)/329(4)/74/76/64/109/351(2)/3(5) of the BNS.

In the matter of: XXX

...Petitioner.

Mr. Sumanta Chakraborty
Mr. Nepesh Majhi

...for the petitioner.

Mr. Hemanta Kr. Das

...for the victim.

Md. Imran Ali
Mr. Nirupam Dhali

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and the de-facto complainant had a love affair. But, the petitioner was earlier implicated in a case under the POCSO Act by the father of the de-facto complainant. He got an acquittal there. The couple had got married. About three days before the registration of the present FIR, the petitioner had lodged an FIR against the present de-facto complainant and her relatives. However, now the couple is staying together.
2. Learned counsel appearing for the de-facto complainant submits that the couple is staying together with their minor child and the matter has been settled.

3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statement of the victim given before the learned Magistrate.
4. Considering the submissions advanced on behalf of the private parties and the materials available in the case diary and the fact that there are case and counter case, 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.
5. 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 the witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)