

14.11.2025
Court No.28
Item No.41
ssi

CRM (A) 3488 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Belghoria PS Case No.**219 of 2025** dated **09.07.2025** under Sections **316 (2)/318(2)/64** of the BNS, 2023

And

In the matter of: **Sri Tamal Bag**

....Applicant/Petitioner.

Mr. Anirban Mitra
Mr. Amit Halder
Mr. Amit Roy

...for the petitioner

Mr. Prodip Paul
Ms. Parna Acharya

...for the de facto

Ms. Baisali Basu
Mr. Atanu Ghosh

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and the de facto complainant entered into a consensual relationship. The relationship continued from 2021 to 2024. In 2022, a child was born. The de facto complainant extracted sums of money to the tune of Rs.6 lakhs from the petitioner. Thereafter, the relationship soured. It will be evident from an application filed by the de facto complainant for dissolution of marriage that the de facto complainant claimed that the child in question was that of her former husband. No prima facie case is made out against the petitioner.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that the child is actually that of the petitioner and a DNA test is required to be performed for

such purpose. A prima facie case is made out. The petitioner is also a married man having children.

Learned counsel for the State opposes the prayer for anticipatory bail.

Considering the materials available in the case diary including the statement of the alleged victim made before the learned Magistrate, the fact that there was some kind of a relationship between the two for a significant length of time and in view of the claims and counter claims about the paternity of the child born, it does not appear that custodial interrogation of the petitioner is required in this case and 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 co-operate with the investigation. The petitioner shall meet the I.O. once a fortnight till submission of report in final form

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

(Jay Sengupta, J.)