

AD 8
December 10, 2025
Ct. 28
SG

Allowed

CRM(A) 3611 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Harishchandrapur P.S. Case No.1096 of 2024 dated 20.12.2024 under Sections 329(4)/64(1)/62/115(2)/3(5) of the BNS, 2023.

And

In the matter of:

XXX

... petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee

... for the petitioner

Ms. Shaila Afrin
Ms. Eshita Dutta

... for the State

Learned counsel for the petitioner submits that there was an extra marital relation between the petitioner and the victim. After a hue and cry was raised, the victim turned volte-face.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of the victim recorded before the learned Magistrate, other witnesses and the ten year old child of the victim. He submits that as per the statement of the child, when she woke up she saw the petitioner was tugging the victim. After she cried out, the accused fled away.

Considering the above and the other materials available in the case diary, although I do not think that custodial interrogation is required in this case and I am inclined to

grant anticipatory bail to the petitioner, his movement needs to be restricted for a limited period.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form, shall stay outside the jurisdiction of Harishchandrapur Police Station for the period of six months except for attending the jurisdictional court or meeting the investigating officer and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)