

22.12.2025
SL.11
Ct.No.28
NB

CRM (A) 3907 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raninagar P.S. Case No.0437 of 2025 dated 02.07.2025 under Sections 115(2)/3(5)/329(4)/64(1) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Nabakumar Mondal @ Nabakumar Mandal
... petitioner

Ms. Riya Das
...for the petitioner.

Mr. Md. Adil Badr,
Mr. Tirthankar Dhali.
...for the State.

Report filed on behalf of the State is taken on record and kept in a sealed cover.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. There is a delay of about 14 days in lodging the FIR. The present FIR is preceded by an FIR lodged from the end of the petitioner. A charge sheet has been submitted in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that the alleged survivor had refused to undergo medical examination. Although the case started by the de facto complainant was registered on 02.07.2025 at 1.15pm for an offence that allegedly took place on 12.06.2025, the

present FIR was registered soon thereafter on 02.07.2025 at 1.25pm for an offence that allegedly took place on 18.06.2025.

Considering the above, the other materials available in the case diary, the fact that the alleged survivor had refused to undergo medical examination and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence 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.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)