

17/12/2025
D/L – 61
Court No.28
S. Kundu
Allowed

C.R.M.(A) 3965 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Chanchal P.S case no. 1088 of 2025 dated 20/8/2025 under Sections 126(2)/115(2)/74/87/3(5) of the BNS.

In the matter of: Abdul Malek @ Malek Ali & Ors.

...Petitioners.

Mr. Sagar Saha
Ms. Nayana Mukherjee

...for the petitioners.

Ms. Sujata Das
Mr. Abhishek Verma

...for the State.

1. Heard the learned counsels appearing for the petitioners and the State.
2. Perused case diary.
3. The victim was more than 17 years old on the alleged date of occurrence. In some statements she claimed that she was forcibly given in marriage to the principal accused. But, before the CWC, she had admitted that she had a romantic relationship with the principal accused.
4. Considering the alleged role ascribed to the present petitioners who are not principal accused, the fact that the principal accused was arrested and was thereafter granted bail, and the fact that charge-sheet has been submitted, I am inclined to grant anticipatory bail to the present petitioners.

5. In the event of arrest, the petitioners 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 petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioners shall surrender before the learned jurisdictional Court and pray for bail within four weeks from date.
6. The personal appearance of the Investigating Officer is noted and is dispensed with.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)