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**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

C.R.M. (A) 368 of 2025

In Re : An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Cooch Behar (Sadar) Women Police Station Case No. 193 of 2024 dated 30.09.2024 under Sections 329(4)/70(1)/127(2)/351(3) of the Bharatiya Nyaya Sanhita.

And

In Re : **Abdul Masud @ Masud Haque**

Mr. Aniruddha Biswas
Ms. Kanak Mishra
Mr. Monoj Saha

... for the petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Kallol Nag

... for the State.

Heard learned counsels for the parties.

Prayer for anticipatory bail was turned down by this Court on 20th January, 2025. Subsequently charge sheet has been submitted.

It appears that that though the initial allegation against the petitioner and co-accused was of gang rape, the statement of the defacto complainant/victim recorded under Section 164 of the Code of Criminal Procedure speaks otherwise.

In view of such change in circumstances and extent of complicity of the petitioner in the alleged offence, this Court is inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner namely Abdul Masud @ Masud Haque be released on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand), with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions laid down under Section 482(2) of the BNSS. The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date. The petitioner shall remain outside the jurisdiction of Cooch Behar police station and shall furnish the address where he shall presently reside before the learned trial Court, the investigating officer and the officer in charge under whose jurisdiction he shall presently reside.

The application for anticipatory bail is thus disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)

