

17.06.2025
Item no. 40.
Court No.2.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 384 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mal Police Station Case No. 187 of 2025 dated 14.04.2025 under Sections 69/88/115(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Sadhan Sannasi @ Sanyashi @ Rahul.

.....Petitioner.

Mr. Anirban Banerjee.

.....for the Petitioner.

Mr. Tapan Bhattacharjee,

Mr. Dhiman Sil.

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner was in a relationship with the de-facto complainant and even if the allegations in the FIR are accepted to be correct there was consensual relationship between the petitioner and the de-facto complainant.

Learned advocate appearing for the State drew the attention of the Court to the Medico Legal Examination report as well as the statement of the de-facto complainant under Section 164 of the Code of Criminal Procedure.

Having considered that there was a steady relationship in existence and subsequently, the petitioner did not marry the

de-facto complainant which led to the registration of the present case, I am of the view that custodial detention of the petitioner may not be warranted in the facts and circumstances of the case. Accordingly, the prayer for anticipatory bail is allowed.

As such, I direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

If on bail the petitioner shall meet the Investigating Officer of the case once in a week till the submission of the charge-sheet.

Accordingly CRM (A) 384 of 2025 is allowed.

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

(Tirthankar Ghosh, J.)