

08.07.2025

Item No.24

Ct.No.02

rc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 441 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tufanganj Police Station Case No. 903 of 2024 dated 20.11.2024.

And

In Re : **Ramen Modak**

... Petitioner

Mr. Hillol Saha Poddar

... for the Petitioner

Mr. Kallol Acharjee

Mr. Aniruddha Biswas

... for the State

Report submitted by the State is taken on record.

The defacto complainant/ victim is not represented despite service.

Heard learned counsels for the parties.

The written complaint is a result of consensual relationship between the parties which turned sour subsequently. The defacto complainant has stated in her statement recorded under Section 164 of the Code of Criminal Procedure that the petitioner refused to marry her after being in a love relationship with her for about two

years. Though the petitioner agrees to marry her now, she has refused the said proposal.

The defacto complainant being a major, was aware of the consequences of the relationship all throughout.

Considering the material on record 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 **Ramen Modak** be released on bail on furnishing bond of Rs.10,000/-(Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to provision under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date.

The application for anticipatory bail is, thus, disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)