

04.09.2025

SL No.21

Ct. No.03

Sudipta

Allowed

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 655 of 2025

In Re: An application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haldibari Police Station Case No. 119 of 2025 dated 14.07.2025 under Sections 137(2) / 140(3) / 351(2) / 3(5) of the BNS, 2023.

And

In Re : **Ajaul Md @ Rejaul Haque**

.....Petitioner

For the Petitioner :

Mr. Jaydeep Kanta Bhowmik

Mr. Sayantan Bhowmik

Mr. Subham Kumar

Ms. Sayantani Das

.....Advocates

For the State :

Mr. Tapan Bhattacharjee

Mr. Dhiman Sil

.....Advocates

1. Learned counsel for the petitioner submits that the victim and the petitioner were having relationship and the victim went to the petitioner on her own will. Learned counsel further submits that there was no allegation of physical abuse against the petitioner.
2. Learned counsel for the State has opposed the bail application on the ground that the victim was minor

on the date of incident. However, learned counsel for the State has fairly submitted that there is no allegation of physical abuse in the statement under Section 164 Cr.P.C.

3. The Court has considered the submissions. The girl was recovered after four days of making a complaint. However, there is no allegation of physical abuse. The victim was more than 17 years of age at the time of incident and the petitioner was around 21 years old.
4. Thus, taking into account the facts and circumstances, this Court considers that the petitioner is entitled to grant anticipatory bail.
5. Accordingly, the prayer for anticipatory bail is allowed.
6. In the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) 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 the conditions as laid down under Section 438 (2) of the Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall not threaten or intimidate or tamper with the witnesses and the petitioner shall join the investigation as and when directed by the Investigating Officer.

7. CRM (A) 655 of 2025 is disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Dinesh Kumar Sharma, J.)