

10.09.2025

SL No.20

Ct. No.03

Sudipta

Allowed

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

CRM (A) 701 of 2025

In Re: An application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dinhata Women Police Station Case No.58 of 2025 dated 02.06.2025 under Sections 69 / 64 / 61(2) / 351(2) / 3(5) of the BNS, 2023.

And

In Re : **Sibendra Narayan Debnath**

.....Petitioner

For the Petitioner :

Mr. Sudip Guha

Mr. Ananda Paul

Ms. Ankita Nag

.....Advocates

For the State :

Mr. Abhijit Sarkar

Mr. Biswarup Roy

.....Advocates

1. Learned counsel for the petitioner submits that admittedly there was a love relationship between the petitioner and the victim. Learned counsel further submits that the allegation is that since the petitioner refused to marry, the present FIR was lodged.

2. Learned counsel for the State submits that there are specific allegations of sexual assault. Learned counsel submits that the chargesheet has already been filed.
3. During the course of submissions, it has transpired that the victim is around 38 years of age and it has been submitted that there is consensual relationship for the last some times and since the petitioner refused to marry, the present FIR has been lodged.
4. Thus, taking into account the facts and circumstances, this Court considers that the petitioner is entitled to 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 evidences in any manner whatsoever and the petitioner shall join the investigation as and when directed by the Investigating Officer.

7. CRM (A) 701 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.)