

AD 14
March 30, 2026
Ct. 28
SG

Allowed

CRM(A) 222 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Amdanga P.S. Case No.739 of 2025 dated 17.10.2025 under Sections 69/117(2)/109 of the BNS, 2023.

And

In the matter of: Ajoy Ghosh ... petitioner

Mr. Santanu Deb Roy
Mr. D. Guha

... for the petitioner

Mr. Anupam Das Adhikari
Mr. Subhasish Datta

... for the State

Mr. Surajit Basu
Ms. Jasika Alam

... for the de facto complainant

Report filed by the State is taken on record.

Learned counsel for the petitioner submits that there was a consensual relationship between two married adults. After the relationship turned sour, an FIR was lodged.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that the petitioner is continuously threatening the victim and that a complaint case has been filed in this regard.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that the de facto complainant was working in a bottling plant of the petitioner. Taking advantage of the same, the petitioner forced her to enter into

a relationship with him. After having a forcible physical relationship for some time, garlands were exchanged to show as if the two were married. It was also alleged that when the victim visited the petitioner's house, she was beaten up by the petitioner. Subsequently, the statements of other witnesses have been recorded. One has stated about the subsequent incident of the victim being beaten up, while the other one has referred to a good relationship between the petitioner and the victim, stating that the victim often used to visit the office of the petitioner and used to chat with him.

From the statement of the alleged victim, it appears that the incident of rape is alleged to have been taken place on 25.12.2024. There is also a reference to an alleged act of exchange of garlands in a temple. However, the FIR in this case was lodged on 17.10.2025.

However, there are also allegations of subsequent threats and a complaint case has been filed in that regard.

Considering the above, the other materials available in the case diary and the fact that there was some kind of a relationship between the two for a considerable period, although I am inclined to grant anticipatory bail to the petitioner, his movement shall remain restricted for a limited period.

In the event of arrest, the petitioner shall 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 Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form, shall stay outside the jurisdiction of Amdanga Police Station for a period of four months except for attending the jurisdictional court or meeting the investigating officer and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)