

D/L 21
10.02.2026

Bpg.
Allowed

C.R.M. (M) 181 of 2026

In Re: An application for bail of the accused petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Park Street Police Station Case No.111 of 2025 dated 30.06.2025 under Sections 351(2)/64(1) of Bharatiya Nyaya Sanhita, 2023 and charge-sheet submitted under Sections 64(1)/351(2)/64(2)(m) of BNS, 2023;

Md. Monibur Rahaman @ Monibur Rahaman
Versus
The State of West Bengal & Anr.

Mr. Sandipan Ganguly
Mr. Prosenjit Mukherjee
Mr. Jahangir Hossain.
...for the petitioner.

Ms. Sayanti Santra
Mr. Aritra Bhattacharya.
...for the State.

Mr. Satadru Lahiri
Mr. Sourav Paul.
...for the de facto complainant/victim.

Learned senior advocate appearing for the petitioner submits that the petitioner is in custody for 205 days and the investigation has already been concluded. According to the learned senior advocate, the victim being 31 years old was able to understand the consequences of her act even if the allegations in the FIR are taken to be true.

Learned advocate for the de facto complainant opposes the prayer for bail and submits that the petitioner is a history-sheeter and he has four criminal cases registered against him which include amongst others forgery relating to property as also other

offences.

State has produced the case diary and drawn the attention of the Court to the statement of the victim under Section 164 of Cr.P.C. as well as the other materials which are appearing.

I have taken into account the overall circumstances and the fact that there are allegations of threatening of the de facto complainant for circulation of obscene materials particularly relating to privacy which compelled the victim to succumb to the needs of the present petitioner. So far as the charge-sheet is concerned, although such oral averments and/or allegations are there, but I am unable to lay down my hands on any materials where there are any forensic examination relating to such materials as the list of witnesses do not at this stage reflect any cyber expert as a witness in the case. The forensic expert over here in the case is for medico legal examination.

Learned advocate for the de facto complainant submits that he has been advised to proceed for further investigation.

Having considered that law permits the same for the de facto complainant but the same do not inspire this Court to detain the accused further who is already in custody and a prima facie finding has been arrived by the investigating agency.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Md. Monibur Rahaman @ Monibur Rahaman shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of

the learned CJM, Calcutta. If on bail, the petitioner shall be physically present on each and every date before the learned court and shall not leave the jurisdiction of the Kolkata Municipal Corporation without the prior permission of the learned CJM, Calcutta.

Accordingly, CRM(M) 181 of 2026 is allowed.

Report submitted by the State be kept with the record.

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

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

(Tirthankar Ghosh, J.)