

AD 10
March 11, 2026
Ct. 28
SG

Allowed

CRM(A) 272 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Shyampukur P.S. Case No.141 of 2025 dated 03.09.2025 under Sections 308(2)/316(2)/64/69/89 of the BNS, 2023.

And

In the matter of: *Souvanik Ghosh* ... *petitioner*

Mr. Avik Ghatak
Ms. Dishani Kanjilal
... for the petitioner

Mr. Bibaswan Bhattacharya
Mr. Bikram Mitra
... for the State

Mr. Arani Bhattacharya
... for the de facto complainant

Learned counsel for the petitioner submits that it is admitted in the FIR that there was a relationship between two consenting adults. After the relationship turned sour, the FIR was lodged.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the statements of witnesses, including that of the alleged victim recorded before the learned Magistrate. It is alleged that the two got acquainted since 2024 as they were engaged in the same profession of real estate brokerage. It was also alleged that the petitioner promised to divorce his wife, so that he could marry the

alleged victim. Upon such promise, they entered into a relationship and the alleged victim aborted her foetus twice. There is also an apprehension on the part of the victim that the petitioner might circulate photographs and video recordings of the victim on social media. However, there is no medical document available as of now regarding such abortions.

Considering the above, the other materials available in the case diary and the fact that there was some kind of relation between the two adults for a considerable period of time, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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 week till submission of report in final form, shall not circulate or upload any photograph or video of the alleged victim on the social media 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.)