

07.04.2026
Court No.28
Item No.53
tbsr
Allowed

CRM (A) 345 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Samsherganj** P.S. Case No.**940 of 2025** dated **25.09.2025** under Sections **74/76** of the BNS.

And

In the matter of: Md. Mansur Rahaman @ Raki @ Mansur Rahaman
....Petitioner.

Mr. Santanu Talukdar

Mr. Manojit Debnath

....for the petitioner

Ms. Sujata Das

Mr. Kaustav Banrjee

....for the State

Dr. Siddhartha Goswami

Ms. Upasana Shaw

Mr. Soumyadeep Das

....for the de facto complainant

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a physiotherapist running a clinic which has become quite popular. The petitioner has been falsely implicated in this case by the de facto complainant with certain absurd allegations, that he asked her to disrobe for treating/dealing with a throat problem.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that the victim immediately rushed out and informed everybody about the incident.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses including, local witnesses. From the case diary, it does not appear that there is any criminal antecedent of the present petitioner.

Considering the above and the other materials available in the case diary and the fact that charge sheet has been submitted, 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/- 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 further condition that the petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and regularly attend the jurisdictional Court, shall not threaten or intimidate witnesses and shall not commit similar offences in future.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)