

06.03.2026
Sl. No.27
Ct. 28
NB

C.R.M (A) 428 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Paikar PS Case No.659/2025 dated 10.12.2025 under Sections 69/352/3(5) of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of: Afif Rahaman ... petitioner

Mr. Rajendra Banerjee,
Mr. Joy Chakraborty,
Mr. Souvik Ganguly.
...for the petitioner.

Mr. Anupam Das Adhikary,
Mr. Asif Dewan.
...for the State.

Mr. Aniruddha Bhattacharyya
... for the victim.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner had a romantic relationship with the alleged victim. Both are aged about 19 years now. After the relationship had turned sour, an FIR was lodged by the alleged victim claiming that, on promise to marry, there were relationships established by the petitioner for the last two or three years. The parents of the petitioner were granted anticipatory bail by this Court on 28.01.2026 in *CRM (A) 4322 of 2025*.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that even when the victim was a minor, physical relationship was established by the petitioner with her on promise to marry.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the victim recorded before the learned Magistrate and the statements of other witnesses and the medical report.

It appears that the FIR was lodged when the victim had become a major.

It also appears that there was some kind of a relationship between the two for about three years.

Considering the above and the other materials available in the case diary, 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.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)

