

23.02.2026
Court No.28
Item No.45
ssi

CRM (A) 451 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Rajapur Police Station Case No.6 of 2026 dated 03.01.2026 under Sections 69 of the BNS 2023.

And

In the matter of: **Jamsuddin Molla @ Jamsaddin Molla & others.**
.... Petitioners.

Mr. Tanmay Chowdhury
Ms. Ritoprita Ghosh
Ms. Sulagna Sarkar

...for the petitioners

Mr. Soumya Basu Roy Chowdhury

...for the de facto

Ms. Rituparna Ghose
Ms. Ratna Ghosh

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the father, the mother, the elder brother and the sister in law of the principal accused. It is alleged by the 19 years old victim in 2026 that there was a relationship between her and the principal accused since 2022 when the alleged victim was a minor. It is alleged that despite promise to marry, the same was not kept.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the principal accused is still absconding.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of the victim recorded before the learned Magistrate, the statements of other

witnesses and the medical report. She submits while going to hotels and resorts, the principal accused would produce a forged Aadhar Card of the alleged victim to show that she was a major. However, in the statement before the learned Magistrate, the alleged victim had stated about the long standing relationship between the two.

Considering the above, the other materials available in the case diary and the fact that there was a some kind of relationship between the two for certain length of time and the two visited different hotels and resorts and the fact that the petitioners are only the relatives of the principal accused, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 conditions that the petitioners shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner nos. 1 and 3 shall meet the I.O. once a fortnight till submission of report in final form.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)