

AD 65
April 16, 2026
Ct. 28
SG

Allowed

CRM(A) 717 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chanchal P.S. Case No.217 of 2022 dated 05.03.2022 under Sections 417/376 of the IPC.

And

In the matter of: Afiur Rahaman @ Atiur Rahaman @ Apel
... *petitioner*

Md. Wasim Akram

... for the petitioner

Mr. B.K. Roy, Sr. Adv.

Mr. A. Bhattacharya

... for the State

Report filed by the State is taken on record.

Despite service no one appears on behalf of the de facto complainant.

Learned counsel for the petitioner submits that there was a romantic relationship between the petitioner and the alleged victim. After the relationship turned sour, a criminal case was started. Presently, both the petitioner and the alleged victim are married with their respective spouses.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statement of the victim recorded before the learned Magistrate and the statements of other witnesses. As per the victim, there was a promise to marry which led to physical relationship between the two. They went to different places including hotels. However, the victim refused to undergo medical examination.

Considering the above, the other materials available in the case diary, the fact that there was some kind of relationship between the two for a considerable length of time, that the victim refused to undergo medical examination and that a 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/- (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 surrender before the jurisdictional court within four weeks from this date and pray for bail, shall attend the jurisdictional court regularly 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.)