

10.04.2026
Court No.28
Item No.6
tbsr
Allowed

CRM (A) 1039 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tamluk** P.S. Case No. **999 of 2025** dated **19.12.2025** under Sections **64/69/77/78** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Sk. Firoj

....Petitioner.

Mr. Kollol Mondal, Sr. Adv.

Mr. Anamitra Banerjee

Mr. Souvik Das

Ms. Moupia Chakraborty

....for the petitioner

Ms. Sukanya Bhattacharya

Ms. Trina Mitra

....for the State

Mr. Angshuman Chakraborty

Mr. Banshi Badan Maity

....for the de facto complainant

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. There was a consensual relationship between two consenting adults. After the relationship turned sour, the FIR was lodged.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that initially there was a promise to give a job, followed by a promise to marry, neither of which was fulfilled. Objectionable photographs and videos of the victim were also circulated.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the FIR, the statement of the victim recorded before the learned Magistrate, the statements of other witnesses and the medical papers. She further submits that

although the sister of the victim was contacted to cooperate with the investigation and produce any evidence on the alleged objectionable video recording allegedly circulated, she has not complied.

It is alleged that on a promise of giving a job, the petitioner took the victim to several places and engaged in physical relation. In the complaint, there is also an allegation of a promise to marry. However, admittedly, the alleged victim is a married woman.

Considering the above, the other materials available in the case diary and the fact that there is some kind of a relationship between the two adults for a particular length 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/- 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 cooperate with investigation, shall meet the I.O. once a week till submission of report in final form and shall not threaten or intimidate witnesses.

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.)