

AD 19
April 9, 2026
Ct. 28
SG

Allowed

CRM(A) 1069 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Khargram P.S. Case No.04 of 2023 dated 04.01.2023 under Sections 363/365/34 of the IPC.

And

In the matter of: Islam Khan

... *petitioner*

Mr. M. Mondal
Mr. S. Chakraborty

... for the petitioner

Mr. Saryati Datta
Mr. Parvej Anam

... for the State

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The father of the alleged victim stated that his daughter was kidnapped by the petitioner. Actually, the two have got married.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the statements of witnesses, refers to the statement of the 18 year old victim girl who has exonerated the petitioner and submits that the two have got married.

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.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.5,000/- (rupees five 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 cooperate with the investigation, shall meet the investigating officer once a fortnight 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, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)