

30.04.2026
Sl. No.11
Ct. 28
NB

C.R.M (A) 1122 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 Gangarampur PS Case No.32/2026 dated 23.01.2026 under Section 69 of the BNS, 2023.

And

In the matter of: Saidul Islam

... petitioner

Mr. Sankar Nath Mukherjee,
Sk. Samim Akhtar,
Mr. Niraj Gupta.

...for the petitioner.

Ms. Zareen N. Khan,
Mr. Atif Ahmed Siddiqui.

...for the State.

Mr. S. K. Bhattacharyya

...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 that there was a consensual relationship between two adults. After the relationship turned sour, the present FIR was registered.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail. He submits that the petitioner is blackmailing the alleged victim by threatening that he would made public the intimate photographs and videos taken on his mobile phone. The Investigating Officer has not seized the said mobile phone.

Learned counsel appearing on behalf of the State also opposes the prayer for anticipatory bail. He relies on the statement

of the victim recorded before the learned Magistrate and the statements of other witnesses and the medical reports.

At this stage, learned counsel appearing on behalf of the petitioner submits that the petitioner would hand over his mobile phone to the Investigating Officer for seizure, within a week from this date.

In view of the above, the other materials available in the case diary, the willingness of the petitioner to hand over the mobile phone in question to the Investigating Officer within a week from this date and the fact that there was some kind of a relationship between the two adults for a considerable period of time, 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 fortnight 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.)