

AD 43
April 27, 2026
Ct. 28
SG

Allowed

CRM(A) 1090 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Englishbazar P.S. Case No.232 of 2026 dated 19.02.2026 under Sections 69/115(2)/351(2)/3(5) of the BNS.

And

In the matter of: Mujahar Sk. @ Sk. Mojahar Ali

... petitioner

Mr. K.M. Rahman

... for the petitioner

Mr. Debasish Roy, Id. PP
Mr. Pravas Bhattacharya
Mr. Sarthak Mandal

... 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, an FIR was lodged. Both are adult.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the medical report and the statements of witnesses including that of the victim. He submits that charge-sheet has been submitted.

Considering the above, the other materials available in the case diary and the fact that there was some kind of

relationship between two adults for a particular length of time and that 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.)