

20.04.2026  
Court No.28  
Item No. 30  
tbsr  
allowed

**CRM (A) 1147 of 2026**

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Baranagar** P.S. Case No. **106 of 2026** dated **02.04.2026** under Sections **69/74/115(2)/3(5)** of the BNS, 2023.

And

In the matter of: **Rahul Choudhury**

....Petitioner.

Mr. Sandipan Ganguly, Sr. Adv.  
Mr. Sabir Ahmed  
Mr. Shraman Sarkar  
...for the petitioner.

Mr. Sandip Chakraborty  
Ms. Diksha Ghosh  
....for the State.

Mr. Ayan Bhattacharjee, Sr. Adv.  
Mr. S. Biswas  
....for the de facto complainant

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned senior counsel appearing on behalf of the petitioner submits as follows. There was a relationship between the petitioner and the alleged victim, both of whom were major. After the present FIR was registered in April, 2026, a settlement has been arrived at between the private parties and they have decided to part ways.

Learned senior counsel appearing on behalf of the de facto complainant/alleged victim supports such contentions of the petitioner and submits that there is indeed a settlement arrived at between the private parties.

Learned counsel appearing on behalf of the State 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 examination report.

It appears that there was a relationship between the parties for a considerable length of time. At present, both of them claim that there is a settlement.

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.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 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 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.)**