

20.04.2026
Court No.28
Item No. 40
tbsr
allowed

CRM (A) 1164 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Pandua** P.S. Case No.**23 of 2026** dated **07.01.2026** under Sections **318(4)/316(2)/69/115(2)/117(2)/351(2)/352** of the BNS, 2023.

And

In the matter of: **Mojafter Rahaman @ Muzaffar Rahaman**

....Petitioner.

Mr. Sanat Kr. Das
Mr. Sujan Chatterjee
Mr. Rohan Bavishi
...for the petitioner.

Mr. Ranabir Roy Chowdhury
Ms. Suveni Banerjee
....for the State.

Mr. Priyankar Ganguly
Ms. Shalini Bairagi
Ms. Pipasa Chakraborty
....for the de facto

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

Learned counsel appearing on behalf of the petitioner submits as follows. It is alleged that there was a romantic relationship between the petitioner and the alleged victim, but the petitioner refused to marry her. The alleged victim had obtained a divorce from her husband. She had taken a gold loan, for repayment of which she took money from the present petitioner.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that other than the refusal to marry the victim, the petitioner even refused to repay a sum of Rs. 1 lakh which had been taken.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statement of the victim recorded before the learned Magistrate. However, she submits that the alleged victim refused to undergo medical examination.

Considering the above, the other materials available in the case diary, the fact that allegedly there was a some kind of relationship between the two for a particular length of time and the fact that the alleged victim refused to undergo medical examination, 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 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.)