

23.06.2026
Court No.28
Item No.23
ssi

CRM (A) 1387 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Tehatta Police Station Case No. 06 of 2026 dated 03.01.2026 under Sections 108/3 (5) of the BNS 2023.

And

In the matter of: **Akash Khan @ Kha.**

.... Petitioner

Mr. Jaydeep Biswas
Mr. Bibaswan Bhattacharya
Mr. Asraf Mondal

...for the petitioner

Mr. Soumya Basu Roychoudhury
Mr. Abdul Aziz Mondal

...for the de facto

Mr. Gauranga Das
Ms. Tanusree Kar

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. There was a relationship between the petitioner and the 16 year old victim girl. The mother of the victim was not happy with the relationship and wanted her to marry somewhere else. In these circumstances, the alleged victim committed suicide. The present FIR was lodged nine days after the date of incident with an absurd allegation that the relationship was built on threats of disclosing intimate photographs of the alleged victim.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that the petitioner forced the victim into a relationship by threatening that he would publish certain photographs of the victim.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. As per earlier order, statements of friends of the victim had been recorded. They refer to a romantic relationship between the two which had continued for a considerable length of time. The two could not marry as the victim was a minor. Both were in love with each other. In fact, one of the statements indicates that since about 10 to 12 days before the date of death of the victim, the two were not seen together. He also refers to the post-mortem and the other statements of witnesses.

Considering the above, the other materials available in the case diary and the delay in lodging the FIR, I do not think that custodial interrogation of the present 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 conditions that the petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)