

25.06.2026
SL.17
Ct.No.28
NB

CRM (A) 1425 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 Asansol (South) P.S. Case No.86 of 2026 dated 10.03.2026 under Sections 316(2)/69/89/351(2)/77/109(1) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Md. Aamir Hasan @ Aamir Hasan
... petitioner

Mr. Sourav Chatterjee Sr.Adv.,
Mr. Sreyash Kumar Singh,
Ms. Moupia Chakraborty.
...for the petitioner.

Mr. Krishnendu Bhattacharya Id.APP.,
Mr. Amartya Mohan Bhattacharyya.
....for the State.

Memo of Evidence filed on behalf of the State is taken on record.

Despite service, no one appears on behalf of the de facto complainant.

Learned senior counsel appearing on behalf of the petitioner submits as follows. It is alleged that the petitioner was having a relationship with the survivor for the last four years. In fact, the alleged victim had taken a sum of Rs.50Lakhs from the petitioner and even entered into a tripartite agreement in this regard. After the relationship turned sour, the present FIR was registered. However, even before lodging of this FIR, the petitioner had made a complaint before the Commissioner of Police about threats given to him by the alleged victim.

Learned Additional Public Prosecutor representing the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the statement of the victim recorded before the learned Magistrate, the other statements of witnesses and the medico legal examination report. He submits that while the alleged victim claimed that she had given Rs.30 Lakhs to the petitioner that was not returned, the petitioner claimed that he had given Rs.50Lakhs to the informant only out of which only a small portion was returned. Threats are being given by the petitioner to the de facto complainant.

Considering the above, the other materials available in the case diary and the fact that there was some kind of a relationship between the two for a certain length of time, although I am inclined to grant anticipatory bail to the present petitioner, his movement shall remain restricted for a limited period.

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 week till submission of report in final form and shall not go within the perimeter of 500 metres of the residence of the alleged victim for a period of four months

except for meeting the Investigating Officer or attending the jurisdictional Court.

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.)