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23-11-2026
(ct. no.446)
D.Hira
(allowed)

CRM (A) 2279 of 2026

In re: An application for anticipatory bail under Section 482 of the Bhartiya Nagarik Suraksha Sanhita in connection with **Chopra Police Station Case No. 648 of 2024** dated **15.09.2024** under Sections 126(2), 115(2), 109, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 6 of POCSO Act.

- A n d –

In the matter of : Faruk @ Faruk Alam

.... petitioner.

Mr. Sourav Mondal,
Mr. M. Nazar Chowdhury,
Mr. Rony Mondal,
Ms. F. Rais,
Mr. Yousuf Hassan.

... For the Petitioner.

Mr. Subhajit Chatterjee,
Mr. Arka Naha.

... For the State.

1. Mr. Sourav Mondal, learned Advocate appearing on behalf of the petitioner, submits that the petitioner and the victim girl were involved in a romantic relationship and that the relationship was consensual in nature. He further submits that the petitioner was also desirous of marrying the victim girl; however, owing to opposition from his family members, the marriage could not materialise. It is further submitted that the victim girl has, in the meantime, married another person and is presently leading a peaceful conjugal life. Mr. Mondal further submits that the victim girl appeared before the learned Court below during the hearing of the petitioner's application for pre-arrest bail and expressed her no

objection to the petitioner being extended the benefit of Section 482 of the B.N.S.S. In view of the aforesaid facts and circumstances, he prays that the benefit under Section 482 of the B.N.S.S. may be extended in favour of the petitioner.

2. Mr. Subhajit Chatterjee, learned Advocate representing the State, produces the memo of evidence and the case diary and opposes the prayer for bail. Memo of evidence be taken on record.

3. Heard the learned Advocates appearing for the respective parties and perused the materials on record.

4. Indisputably, the petitioner and the victim girl were involved in a romantic relationship, and the petitioner had even taken her to his home with the intention of marrying her. However, owing to the opposition of his family members, the marriage could not materialise. It is also borne out from the materials on record that the victim girl, upon appearing before the learned Court below, expressed no objection to the petitioner being granted the privilege of pre-arrest bail and in the present case, charge-sheet has been submitted and other co-accused persons are on bail.

5. Having regard to the aforesaid facts and circumstances, and considering the nature of the allegations, this Court is of the view that custodial interrogation of the petitioner is not warranted. Accordingly, this Court is inclined to extend the privilege of pre-arrest bail to the petitioner.

6. In the event of arrest, the petitioner, namely, **Faruk @ Faruk Alam**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of Rs.5000/- (Rupees Five Thousand) each, one of whom must be

local, to the satisfaction of learned Special Judge, Islampur, Uttar Dinajpur.

7. The petitioner shall appear before the learned trial Court on each and every date of hearing and/or as and when to be directed by the court.

8. The petitioner shall not intimidate or threaten the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit any cognizable offence in any manner whatsoever.

9. In the event the petitioner fails to adhere to any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law.

10. The application for bail is, thus, **allowed**.

11. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

12. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Partha Sarathi Chatterjee, J.)