

28.01.2026
Court No.28
Item No.6
ssi

CRM (A) 4081 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Barabazar Police Station Case No. **225 of 2025** dated **15.10.2025** under Sections **318 (2)/64** of the BNS 2023.

And

In the matter of: **Nirmal Chandra Mahato @ Nirmal Mahata**
.... Petitioner.

Mr. Abhra Mukherjee
Mr. Sauradeep Dutta
Mr. Arpayan Mukherjee
Mr. S. K. Mondal
Mr. Himadree Ghosh

...for the petitioner

Mr. Md. Adil Badr, Ld. Jr. Govt. Adv.
Mr. Anindya Sundar Chatterjee

..for the State

Report filed on behalf of the State is taken on record.

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

Learned counsel appearing on behalf of the petitioner submits as follows. There was a relationship between two consenting adults which turned sour. This led to the registration of the present FIR. In fact, the issue came up after the petitioner was caught by the local villagers and the relationship came to light.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. The alleged survivor is orthopedically handicapped. Reliance is placed on statements of the victim, the neighbours and the medical report.

Considering the above, the materials available in the case diary and the allegation that the relationship existed between the two

adults for a considerable period of time, 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.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

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 Investigating Officer once a week till submission of report in final form.

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

(Jay Sengupta, J.)