

15/01/2026
D/L – 53
Court No.28
S. Kundu
Allowed

C.R.M.(A) 4121 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Nabadwip P.S Case no. 639 of 2025 dated 30/8/2025 under sections 329(4)/79/64/62/115(2)/351(2)/3(5) of the BNS.

In the matter of: Samin Sk

...Petitioner.

Mr. Dipanjan Chatterjee
Ms. Rimpa Adhikary
Ms. Kakan Das

...for the petitioner.

Mr. Soumik Ganguly
Mr. Parvej Anam

...for the State.

1. Report filed by the State is taken on record.
2. Despite service no one appears on behalf of the de-facto complainant.
3. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case. Eleven days before the lodging the present FIR, the petitioner had lodged an FIR against the de-facto complainant and her family members for alleged molestation of his wife.
4. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statement of the victim recorded before the learned Magistrate and the other statements of witnesses and the injury report of the victim. However, the victim had refused to undergo any medical examination for the alleged sexual assault.

5. Considering the above, the other materials available in the case diary and the fact that few days ago, an FIR was lodged against the de-facto complainant by the petitioner, 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.
6. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall cooperate 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.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)