

03.02.2026
Court No.28
Item No. 20
tbsr
Allowed

CRM (A) 4299 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Nandakumar** P.S. Case No. **729 of 2024** dated **16.11.2024** under Sections **137(2)/87** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Manas Mondal @ Manash Kumar Mandal
....Petitioner.

Mr. Sabir Ahmed
Mr. Quazi Ezaz Ahmed
....for the petitioner
Mr. Arindam Sen
Ms. Debolina Das
....for the State
Mr. Shraman Sarkar
Mr. Dhiman Banerjee
....for the de facto complainant

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

Learned counsel appearing on behalf of the petitioner submits as follows. The victim girl is more than 17 years old. There is a romantic relationship between the petitioner and the alleged survivor. However, under some pressure, the alleged victim initially gave a statement against the petitioner. Now, the family members have agreed to give the girl in marriage with the boy once both of them become of marriageable age.

Learned counsel appearing on behalf of the de facto complainant submits that the private parties have indeed agreed to settle the disputes and agree to arrange for marriage for the couple once they become adult. However, as the matter is pending before this Court,

the learned Magistrate had sent the alleged victim girl to a Home instead of allowing her to go to her parents.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that quite contrary to the earlier statements given by the alleged victim before the learned Magistrate, in the recent statement given by the alleged survivor before the learned Magistrate, she had exonerated the accused.

It appears that both the alleged survivor as well as the de facto complainant, i.e. the father of the alleged victim have exonerated the present petitioner.

In view of the above, the other materials available in the case diary and the fact that charge sheet has been submitted, 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 condition that the petitioner shall surrender before the learned jurisdictional Court within four weeks from this date and pray for bail and shall attend the jurisdictional Court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

The learned Magistrate shall take prompt steps to have the victim girl released from the Home in favour of the parents of the victim girl.

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.)