

10/02/2026
D/L - 17
Court No.28
S. Kundu
Allowed

C.R.M.(A) 4352 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Park Street P.S case no. 210 dated 9/11/2025 under sections 64(1) of the BNS.

In the matter of: Brijesh Bagri

...Petitioner.

Mr. Sourav Chatterjee
Mr. Pinak Kr. Mitra
Ms. U. Chatterjee
Ms. S. Srivastava

...for the petitioner.

Mr. Saibal Bapuli
Mr. S. Balial

...for the State.

1. No one appears on behalf of the alleged survivor, although the notice was duly served upon her.
2. Learned counsel appearing for the petitioner submits as follows. The alleged survivor used to give dance performances at different restaurants and bars. The two got acquainted at one such place and then they decided to go around looking for a hotel room to spend some time together. In fact, as per the FIR it was the lady who drove him looking for a hotel. There are Whatsapp chats mentioning even about tips given. After their stay for the night in a hotel, all of a sudden in the morning lady goes to a Police Station and lodges an FIR making wanton allegations against the petitioner. If the intention was only to consume liquor or otherwise spend time, the same could have been done at the bar. It is surprising that the

two went on looking for a room in a hotel. The alleged victim even produced her Aadhar Card for room booking.

3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statement of the alleged survivor recorded before the learned Magistrate. As per the statement, the physical intercourse was done without her consent.
4. Without going into the merits of the allegation that the intercourse was done without consent of the alleged survivor, the circumstances including the petitioner being driven by the lady to different hotels looking for a room and the like cannot be overlooked.
5. Considering the above and the other materials available in the case diary, 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 week till submission of report in final form. However, the petitioner shall stay outside the jurisdiction of Kasba Police Station for a period of four months from

date except for meeting the I.O or attending the jurisdictional Court.

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.)