

27.01.2026
Court No.28
Item No.62
ssi

CRM (A) 10 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Berhampore Police Station Case No. **2289 of 2025** dated **27.10.2025** under Sections **329 (4)/69/108/62/3(5)** of the BNS 2023.

And

In the matter of: **Golam Masum Sakid**

.... Petitioner.

Mr. Arnab Chatterjee
Mr. Arif Ekbal Molla
Mr. Avik Ghosh

...for the petitioner

Mr. Debapriya Samanta
Mr. Suhotro Palit
Mr. Akash Kumar Chakraborty

...for the de facto

Mr. S. S. Imam
Ms. Debolina Das

..for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. There was a consensual relationship between two consenting adults, admittedly for a certain period of time. There is no question of applicability of Section 108 of the BNS as no suicide has taken place.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that although a promise was given to marry the victim, the petitioner did not keep such promise. In fact, after registration of the FIR, the petitioner and his men and agents had been threatening and harassing the de facto complainant.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on statements of witnesses including that of the victim before the learned Magistrate and the medical reports. Charge sheet has been submitted.

It appears from the statements of the victim recorded before the learned Magistrate that there was a relationship between the two for the last two years. It is alleged there that the petitioner had promised her to marry and had entered into physical relationship. After she attempted to commit suicide, the petitioner stopped keeping any contact with her.

Considering the above and the other materials available in the case diary, although I do not think that custodial interrogation of the petitioner is required in this case, the movement of the petitioner needs to be restricted for a limited period.

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 surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and the petitioner shall attend the jurisdictional Court regularly. The petitioner shall not threaten or intimidate the witnesses. The petitioner shall stay outside the jurisdiction of Berhampore Police Station for a period of four

months from this date, except for attending the jurisdictional Court or meeting the Investigating Officer.

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

(Jay Sengupta, J.)