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March 24, 2026
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IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Appellate Side

CRM(A) 101 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj Police Station Case No.581 of 2024 dated 02.10.2024 under Sections 316(2)/318(4)/69/351 (2) of the BNS 2023.

And

In the matter of: *Akon Mosaraf @ Akand Mosaraf @ Akanda Mosaraph @ Md Mosaraf Akanda*
... petitioner

Mr. Sudip Guha
... for the petitioner

Mr. Saikat Chatterjee
Mr. Chattu Roy
... 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 that there was a consensual relationship between the petitioner and the alleged victim. The alleged victim was a married lady with three children. Therefore, there is no question of promise to marry being made to her and not fulfilled. After the relationship turned sour, the FIR was registered.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement of the victim, the medical report and the other materials available in the case diary. It has been alleged that the petitioner sent their obscene photographs and videos to the alleged victim and threatened that he would make the same public. Charge sheet has been submitted.

Considering the above, the other materials available in the case diary and the fact that there was a some kind of relationship between the two adults for a particular length of time and that charge sheet has already 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall not threaten or intimidate the witnesses. The petitioner shall not to publish any photograph or video or anything pertaining to the alleged victim in the social media or otherwise.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)