

AD 26
March 24, 2026
Ct. 6
SG

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

CRM(A) 206 of 2026

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Siliguri Women P.S. Case No.96 of 2025 dated 10.09.2025 under Sections 69/351(2) of the BNS.

And

In the matter of: *Nitish Kumar Roy @ Ray*

... *petitioner*

Mr. H.S. Podder

... for the petitioner

Mr. A. S. Chakraborty

Dr. A. Chowdhury

... for the State

Mr. Suparna Paul

... for the de facto complainant

Learned counsel for the petitioner submits that there was a romantic relationship between the petitioner and the alleged victim for a long time. After relationship turned sour, the present FIR was registered.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that even after promise to marry and entering into a physical relationship, the petitioner refused to marry the alleged victim. The relationship between the two had continued from school days. Although a date was fixed for registration of the marriage in the Special Marriage Act, the petitioner did not turn up.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of the victim, medical papers and the statements of other witnesses.

Considering the above, the other materials available in the case diary and the fact that there was some kind of relationship between the two adults for the considerable length of time, 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 cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form and shall not threaten or intimidate witnesses.

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.)