

03.07.2025

Item No.11

Ct.No.02

rc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 420 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kotwali Jalpaiguri Police Station Case No. 207 of 2025 dated 17.04.2025.

And

In Re : **Sumit Baidya**

... Petitioner

Mr. Debajit Kundu

... for the Petitioner

Mr. Aditi Shankar Chakraborty

Mr. Kallol Acharjee

... for the State

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

The victim is not represented despite service.

Learned counsel for the petitioner submits that there was a love affair between the petitioner and the victim and they subsequently got married. Since family members of the victim did not concede to the said relationship, they lodged a false complaint against the petitioner.

Learned counsel for the State opposes the prayer.

I have considered the material on record. The Investigating Officer has submitted a report before the

learned Magistrate which demonstrates that there was a romantic relationship between the petitioner and the victim who subsequently married. There were disputes and differences between them and their family members which led to lodging of the present complaint.

In view of the present facts and circumstances of the case as transpires from the material on record and also since the parties appear to have mutually agreed to file an application for mutual divorce, this Court is inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner **Sumit Baidya** be released on bail on furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to provision under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date.

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

Case Diary be returned.

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

(Suvra Ghosh, J.)