

Court No. 29
(266041)

CRM (A) 2586 of 2024

14.08.2024
(AD 28)
(S. Banerjee)

(Allowed)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Thanarpara Police Station Case No. 99 of 2024 dated 16.04.2024 under Sections 498A/376/511/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Tehatta, Nadia.

And

In the matter of: **Sanarul Mondal @ Chanarul** ...petitioner

Mr. Asraf Mondal ... for the petitioner

Ms. Subhasree Patel
Mr. Abhishek Verma

... for the State

Mr. Priyankar Ganguly
Ms. Shalini Bairagi ... for the de facto complainant

1. Counsel for the petitioner submits that the petitioner is the brother-in-law and they are residing in the same premises and he has been falsely implicated.
2. Counsel for the State in opposing the prayer has referred to the statement of the neighbors and the victim recorded under Section 164 Cr.P.C.
3. Counsel for the de facto complainant has submitted that the brother-in-law had attempted to ravish her modesty.
4. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in commission of the alleged offence and having regard to the

nature of the offence, we are of the view that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner (Sanarul Mondal @ Chanarul) shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer and 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 Bharatiya Nagarik Suraksha Sanhita, 2023.
6. The petitioner shall cooperate with investigation and meet the investigating officer once in a week till filing of the final report and shall not leave the jurisdiction of the Thanarpara Police Station without the permission of the IO till submission of the final report, except for the purpose of attending the court and shall appear before the jurisdictional court within two weeks.
7. Accordingly, the application for anticipatory bail is allowed.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Uday Kumar, J.)

(Soumen Sen, J.)