

20.08.2024  
Sl No.06  
Court No.29  
TN  
(Allowed)

**CRM (A) 2664 of 2024**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 as amended, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Farakka Police Station Case No.119 of 2024 dated 02.04.2024 under Section 376 of the Indian Penal Code.

And

In the matter of : **Pintu Mandal**

.... petitioner

Mr. Tapodip Gupta,  
Mr. Suman Bhanja

....for the petitioner

Mr. Shamik Bagchi

....for the *de facto* complainant

Mr. Sudip Kumar,  
Ms. Dhanasree Biswas

... for the State

1. Heard learned counsel for the parties including the counsel representing the *de facto* complainant.
2. The prayer for anticipatory bail is opposed on behalf of the State and the *de facto* complainant.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and *prima facie* it appears that the relationship was consensual as it appears from the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Pintu Mandal** 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 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.

5. The petitioner shall meet the Investigating Officer once in a week till submission of the final report.
6. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate at Jangipur, Murshidabad within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**