

11.09.2024
AD-08
Court No.29
TN
(Allowed)

CRM (A) 2948 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bamangola Police Station Case No. 90 of 2024 dated 26.04.2024 under Sections 376(2)(n)/417 of the IPC.

And

In the matter of: **Raju Murmu**

.... petitioner

Mr. Mrityunjoy Chatterjee,
Mr. Arindam Poali

....for the petitioner

Mr. Prasun Kumar Dutta,
Mr. Subhajit Chowdhury

....for the State

1. In spite of service, the victim is not represented.
2. Heard the learned counsel for the parties.
3. The *de facto* complainant appears to have a love relationship with the petitioner. It is alleged that she was ravished on the pretext of marriage.
4. Considering the materials available in the case diary, the statement of the husband of the victim and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure wherefrom it appears that the relationship was consensual, 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, namely, **Raju Murmu** shall be released on bail upon furnishing a bond of Rs.5,000/-, 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.

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

(Soumen Sen, J.)

(Prasenjit Biswas, J.)