

18.09.2024
AD-14
Court No.29
TN
(Allowed)

CRM (A) 3326 of 2024

In Re:- An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 438 of the Code of Criminal Procedure filed in connection with Chanchal Police Station Case No. 785 of 2022 dated 17.07.2022 under Section 305 of the IPC, 1860.

And

In the matter of: **Rupchand Roy**

.... petitioner

Ms. Sujata Das

....for the petitioner

Mr. Imran Ali,
Ms. Dhanasree Biswas

....for the State

1. Heard the learned counsel for the parties.
2. Considering the statement of the father of the victim recorded under Section 164 of the Code of Criminal Procedure exonerating the petitioner, we are of the view that custodial interrogation of the petitioner is not necessary. Moreover, the charge sheet has already been filed.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Rupchand Roy** shall be released on bail upon furnishing a P.R. bond of Rs.2,000/-, 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.

4. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate, Chanchal, Malda within two weeks from date.
5. Accordingly, the application for anticipatory bail is disposed of.
6. 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.)