

08.10.2024

Court No.29

Item No.19

Allowed

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CRM (A) 3658 of 2024

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, 2023 in connection with Dhantala Police Station Case No. 614 of 2024 dated 25.08.2024 corresponding to Serial No. 912 of 2024 under Section 376/417 of the Indian Penal Code.

And

In Re: **Priyajit Majumder @ Babai**

Petitioner

Ms. Minoti Gomes

Mr. Sananda Bhattacharyya

For the Petitioner

Mr. Debabrata Chatterjee

Ms. Nahid Ahmed

For the State

1. Affidavit of service filed in Court is taken on record.
2. Heard the learned counsel appearing for the parties.
3. In spite of service, the victim is not represented.
4. 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 having regard to the fact that the prosecutrix is a married lady and prima facie there appears to be consensual relationship between two adult persons and the allegation of promise to marry in the background of the facts that the prosecutrix is married, 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, **Priyajit Majumder @ Babai** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal

Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023. The petitioner shall meet with the I.O once in a fortnight till the submission of the final report and on further condition that the petitioner shall appear before the **learned Additional Chief Judicial Magistrate, Ranaghat, Nadia, within three weeks** from date in connection with **Serial No. 912 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)