

11.11.2024
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as
[ALLOWED]

C. R. M. (A) 3701 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Basanti Police Station Case No. 523 of 2024 dated 11.06.2024 under Sections 376/511 of the Indian Penal Code.

In Re: **Safikul Sekh @ Safiqul.**

... .. Petitioner

Mr. K. C. Sahoo,
Mr. Gouranga Kr. Das,
Mr. P. Dutta.

... .. for the petitioner

Mr. Zubair Alam,
Mr. Atanu Ghosh.

... .. for the State

Mr. Subit Majumdar,
Mr. Amit Kr. Roy.

...for the de-facto complainant.

1. Petitioner submits there was a free fight by and between the parties. He suffered grievous injuries. Case and counter case have been registered. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto also opposes the prayer for anticipatory bail. He submits petitioner tried to rape the victim.
4. We have considered the materials on record. At the time of incident petitioner suffered grievous injury. There is no explanation with regard to the injuries in the FIR. Possibility of a free fight between the parties cannot be ruled out.

5. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

6. Accordingly, we direct that in the event of arrest, the petitioner viz., **Safikul Sekh @ Safiqul** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the BNSS. Hey shall appear before the jurisdictional court and pray for regular bail within four weeks from date and on further condition petitioner while on bail shall meet Officer-in-charge, Basanti Police Station once in a week until further orders.

7. The application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)