

11.11.2024
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as
[ALLOWED]

C. R. M. (A) 3709 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raninagar Police Station Case No. 566 of 2024 dated 14.09.2024 under Section 64(1) of Bharatiya Nyaya Sanhita read with Section 6 of the POCSO Act.

In Re: ***Rohit Sarkar @ Golam Gaus.***

... .. Petitioner

Ms. Minoti Gomes,
Md. G. N. Imrohi.

... .. for the petitioner

Mr. S. S. Imam, Jr. Govt. Adv.,
Mr. Sufi Kamal.

... .. for the State

1. Petitioner submits there was a romantic relationship between the parties for two years. Marriage did not fructify. He has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. In spite of notice nobody appears for the victim.
4. We have considered the materials on record. Statement of the victim shows there was an intimate relationship between the parties for the last two years. Possibility of false implication cannot be ruled out.
5. In this backdrop, custodial interrogation for progress of investigation of the petitioner is not necessary and he may be granted anticipatory bail.

6. Accordingly, we direct that in the event of arrest, the petitioner viz., **Rohit Sarkar @ Golam Gaus** 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. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)