

04.11.2024
tkm/ct 28
sl no. 57

C.R.M. (A) 3721 of 2024

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to section 482 of the BNSS 2023 in connection with Keshiary P.S case no. 121 of 2024 dated 15.6.2024 under sections 341/354A/354/379/506/34 IPC
And

Allowed

In Re : Dipak Bhunia & Anr. petitioners

Mr. S Das Adhikary

..... for the petitioners

Mr. Rana Mukherjee

Ms. Dhanasree Biswas

..... for the State

Mr. Amit Ranjan Pati

..... for the de facto complainant

1. Petitioners submit there was an intimate relationship between petitioner no. 1 and the victim lady and they were living together. Subsequently, petitioners have been falsely implicated. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. Learned lawyer for the de facto complainant submits her original documents were detained by the petitioners and she was compelled to sign on the application for registering their marriage.
4. We have considered materials on record. While the de facto complainant contends she had no intention to cohabit with the petitioner, it is the petitioners' case that petitioner no. 1 and the victim lady were living together. Application had been submitted for registering their marriage.
5. Under such circumstances, we are of the opinion custodial interrogation of the petitioners is not necessary and they

may be granted anticipatory bail however, subject to conditions.

6. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under section 482(2) of the BNSS 2023.
7. Petitioner no. 1 while on bail, shall meet investigating officer once in a week until further orders.
8. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.
9. It is made clear petitioner no. 1 shall submit certificates if any, of the de facto complainant in his possession during interrogation to the investigating officer.
10. The application being CRM (A) 3721 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)