

13.11.2024
Sl. No.7
akd
[ALLOWED]

C. R. M. (A) 3817 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 08.10.2024 in connection with Joypur Police Station Case No.154 of 2024 dated 05.09.2024 under Sections 78/329(4)/115(2)/351(2)/3(5) of the Bharatiya Nyay Sanhita, 2023 and Section 12 of the POCSO Act.

And

In Re: **Sk. Rahul Ali**

... .. Petitioner

Mr. Sourov Mondal
Mr. Rony Mondal

... .. for the petitioner

Mr. Sudip Kumar
Mr. Aslam Parvez

... .. for the State

1. It is submitted on behalf of the petitioner there was an intimate relationship between the parties. When the father of the victim intervened, petitioner was 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. It is contended there was an intimate relationship between the parties. Possibility of false implication cannot be ruled out. Under such circumstances, we are of the opinion custodial interrogation of the accused/petitioner is not necessary and he may be granted anticipatory bail.

5. Accordingly, we direct in the event of arrest, the accused/petitioner, namely **Sk. Rahul Ali**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)