

11.11.2024
tkm/ct 28
sl no. 42

C.R.M. (A) 3863 of 2024

In Re : An application for anticipatory bail under section 482 of BNSS in connection with Medinipur All Women P.S case no. 42 of 2024 dated 16.6.2024 under sections 376/417/506/509 IPC
and

Allowed

In Re : Suraj Roy

..... petitioner

Mr. S Das Mahapatra

Ms. M Sinha

..... for the petitioner

Ms. Z N Khan

Ms. Srilekha Chattopadhyay

..... for the State

Mr. A R Pati

..... for the de facto complainant

1. It is contended on behalf of the petitioner that there was an intimate relationship between the parties. It is alleged no deception had been practiced by the petitioner and he is entitled to anticipatory bail.
2. Learned lawyer for the State opposes the prayer.
3. Learned lawyer for the de facto complainant submits his client became pregnant.
4. We have considered the materials on record. In her statement the victim stated petitioner had forcibly committed rape. However, she did not complained with regard to such conduct to any of her relations. Possibility of intimate association out of love and affection cannot be ruled out.
5. Under such circumstances we are of the opinion though custodial interrogation of the petitioner is not necessary he requires to co-operate with investigation in accordance with law.

6. Accordingly, we direct that in the event of arrest, petitioner shall 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 BNSS 2023 and that petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date and on further condition that petitioner shall meet the investigating officer once a week until further orders.
7. The application being CRM (A) 3863 of 2024 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)