

12.11.2024
17
as
[ALLOWED]

C. R. M. (A) 3865 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raiganj Women Police Station Case No. 90 of 2024 dated 17.09.2024 under Sections 318(2)/64/351(2) of Bharatiya Nyaya Sanhita, 2023.

In Re: ***Rakhal Haldar.***

... .. Petitioner

Mr. Kunal Ganguly.

... .. for the petitioner

Mr. Ashok Das.

... .. for the State

Ms. Minoti Gomes,
Ms. Shanta Sarkar.

...for the de-facto complainant.

1. Petitioner submits there was a romantic relationship between the parties and he has been falsely implicated. 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 complainant also opposes the prayer for anticipatory bail. He states petitioner cohabited with the victim on the false promise of marriage and subsequently reneged from the promise.
4. We have considered the materials on record. Statement of the victim shows there was a romantic relationship between the parties. Whether cohabitation was on the strength of deception or not requires to be assessed during trial. Custodial

interrogation for progress of investigation is not necessary. However, petitioner requires to co-operate with the investigation.

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., ***Rakhal Haldar*** 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. 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)