

12.11.2024
Ct. No. 28
SL No. 26
SB

CRM (A) 3879 of 2024

In Re: - An application for anticipatory bail under Section 482 of the B.N.S.S. 2023 in connection with **Malda** P.S. Case No. **542 of 2023** dated 15.9.2023 under Sections 447/506/509/195A/34 of Indian Penal Code.

And

In the matter of: Prasenjit Sukul & Anr.

Mr. Pulakesh Bajpayee

... for the petitioners

Mr. Subhamoy Bhattacharya

Ms. Poulami Bose

...for the State

1. Petitioners submit they were falsely implicated in a case of rape and were granted pre-arrest bail. Subsequently, the present case has been registered on false accusation that they threatened the victim. They pray for similar relief.
2. Learned lawyer appearing for the State opposes the prayer.
3. We have considered the materials on record. Petitioners had been granted anticipatory bail in a case alleging rape on the victim. Presently it is alleged they had gone to the residence of the victim and threatened her. It is contended the present case has been registered in order to circumvent the order granting anticipatory bail and committing the petitioners to custody. While such submission may be true it is equally important that the confidence of the victim and her family members is not jeopardized by presence of the petitioners in the locality.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners subject to conditions. While on bail petitioners shall not enter the jurisdiction of Malda Police Station until further orders and provide address where they shall reside.
5. Accordingly, we direct that in the event of arrest the petitioners shall be released on anticipatory 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 subject to the condition as laid down under Section 482(2) of the B.N.S.S. on condition petitioners shall not enter the jurisdiction of Malda Police Station until further orders and provide the address they shall reside and

also petitioners shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)