

19.11.2024
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Allowed

C.R.M. (A) No. 3969 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kharagpur (Local) Police Station Case No. 699 of 2024 dated 17.08.2024 under Sections 85/115(2)/109(1)/329(3)/126(2)/74/75/76/64(1)/62/3(5) of the BNS read with Section 3/4 of Dowry Prohibition Act.

And

In Re : Susanta Sahoo @ Sau & Anr. petitioners

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury

.....for the petitioners

Mr. Ashok Das

....for the State

1. Learned Counsel for the petitioners submits they are neighbours of the husband of the victim. They have been falsely roped in due to a matrimonial dispute between the petitioner and the victim. There is delay in lodging FIR. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. Nobody appears for the victim.

4. We have considered the materials on record. In her statement victim alleged there was a matrimonial dispute. She also alleges on 18.04.2024 petitioners and her husband accosted her in the street and tried to disrobe her. There is delay in lodging FIR. Allegations against the petitioners are

general and omnibus. Probability of the petitioners being falsely roped in owing to matrimonial dispute cannot be ruled out. Accordingly, we are inclined to grant anticipatory bail to them.

5. 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 Bharatiya Nagarik Suraksha Sanhita and on condition that they 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)