

27.11.2024
Sl. No.13
akd
[ALLOWED]

C. R. M. (A) 4002 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 11.11.2024 in connection with Domkal Police Station Case No.755 of 2024 dated 01.11.2024 under Section 69 of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.5776 of 2024)

And

In Re: ***Halim Mondal***

... .. Petitioner

Md. Golam Nure Imrohi

... .. for the petitioner

Mr. Kunal Ganguly

... .. for the State

1. Heard learned Advocates for both the parties.
2. In spite of notice, nobody appears for the victim.
3. We have considered the materials on record. At the time of cohabitation, both the parties were married. Whether the cohabitation was out of love or product of deception may be assessed at the appropriate stage of the proceeding. In view of the aforesaid facts, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.
4. Accordingly, we direct in the event of arrest, the petitioner, namely, ***Halim Mondal***, 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)