

22.11.2024
Sl. No.15
akd
[ALLOWED]

C. R. M. (A) 4049 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 12.11.2024 in connection with Egra Police Station Case No.590 of 2024 dated 07.09.2024 under Sections 115(2)/305/329(4)/351(2)/62/64 of the Bharatiya Nyaya Sanhita, 2023. (G.R. (E) Case No.986 of 2024)

And

In Re: **Sankar Dolai**

... .. Petitioner

Mr. Mazhar Hossain Chowdhury
Ms. Chandrima Debnath

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor
Ms. Snigdha Saha

... .. for the State

1. It is submitted on behalf of the petitioner that he has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned Additional Public Prosecutor opposes the prayer for anticipatory bail.
3. We have considered the materials on record. In the FIR it is alleged petitioner had trespassed into the house and committed theft. He had also misbehaved with the victim lady. Allegation of attempt to rape in her subsequent statement appears to be embellished. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail however, subject to strict conditions.
4. Accordingly, we direct in the event of arrest, the petitioner, namely, **Sankar Dolai**, 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 meet the Investigating Officer once in a week until further orders. He 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.)