

22.11.2024
29
Ct. No. 28
SG
[PARTLY
ALLOWED]

C. R. M. (A) 4063 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with G.R. Case No. 1594 of 2024 arising out of Pursurah Police Station Case No. 260 of 2024 dated 05.08.2024 under Sections 126(2)/115(2)/117(2)/118(2)/74/352/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Sk. Saidul Rahaman @ Sk. Kanchan and Anr.**

... .. Petitioners

Mr. Niladri Sekhar Ghosh,
Mr. Sourav Mondal,
Ms. Laboni Sikder,
Mr. Souvik Dey.

..... for the petitioners

Mr. Pravash Bhattacharyya,
Ms. Chandrayi Dutta,

..... for the State

1. Petitioners submit there was a family dispute between the parties and they have been falsely implicated. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record Allegation of outraging modesty is against Sk. Kanchan.
4. Under such circumstances, we are not inclined to grant anticipatory bail to the petitioner no. 1.
5. However, injuries are simple. In view of the extent of complicity of petitioner no. 2 in the crime, we are inclined to grant anticipatory bail to him.

6. Accordingly, we direct that in the event of arrest, petitioner no. 2 viz., **Sk. Abdul @ Sk. Sanju** 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 the Bharatiya Nagarik Suraksha Sanhita, 2023. 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.)