

25.11.2024

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Allowed

C.R.M. (A) No. 4065 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Murutia Police Station Case No. 337 of 2024 dated 10.11.2024 under Sections 115(2)/69/3(5) of the BNS.

And
In Re : Rubel Shaikh petitioner

Mr. Asraf Mandal
Mr. Tanbir Mandal
.....for the petitioner

Mr. Kunal Ganguly
....for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record including the statement of the victim lady. She was major at the time of cohabitation. Whether cohabitation was on the basis of deception or out of love may be adjudicated at the appropriate stage of the proceeding. Custodial interrogation for progress of investigation is not necessary and there is no chance of abscondence. Accordingly, we are inclined to grant anticipatory bail to the petitioner.
3. Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya

Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

4. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)