

28.11.2024
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Allowed

C.R.M. (A) No. 4135 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Balurghat Police Station Case No. 674 of 2024 dated 20.08.2024 under Sections 329(4)/115(2)/64(1)/62/74/324(1)/351(2)/3(5) of the BNS.

And

In Re : Swapna Mohanta @Swapna Mahanta & Anr. petitioners

Mr. Kaushik Choudhury
Ms. Busra Khatoon
Ms. Munmun Dutta

.....for the petitioners

Mr. Prasun Kumar Dutta
Ms. Mousumi Sarkar

....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioners are women. Allegation of attempt to rape is not levelled against them. Possibility of false implication owing to prior enmity cannot be ruled out. Accordingly, we are inclined to grant anticipatory bail to the petitioners.

3. Accordingly, we direct that in the event of arrest the petitioners viz. 1) Swapna Mohanta @ Swapna Mahanta and 2) Saraswati Mahanta shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)