

26.11.2024
Sl. No. 14
Sourav/
Suvayan
[ALLOWED]

C. R. M. (A) 4094 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 **Baishnabnagar** Police Station Case No. **923** of **2024** dated **14.09.2024** under Sections **351(2)/107** of Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Babun Das alias Baman Das**

... .. Petitioner.

Mr. Milon Mukhjee, Sr. Adv.

... .. for the petitioner.

Mr. Bitasok Banerjee
Mr. Debanshu Ghorai

... .. for the State.

1. Petitioner submits that the victim girl had developed relationship with his brother-in-law Biplab Das. She committed suicide. Petitioner was not present at the place of occurrence and was falsely implicated. He prays for anticipatory bail.
2. Learned advocate for the State opposes the prayer.
3. We have considered the materials on record. Statements of witnesses allege that the petitioner and others came to the residence of the victim and threatened to kidnap her. Credibility of the allegation has to be assessed in the light of the defence version that there was a romantic relationship between victim and Biplab Das at the appropriate stage of the proceeding. Victim had not left behind any suicide note implicating the petitioner.

4. In view of the aforesaid circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner 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 BNSS. He shall appear before the court below and pray for regular bail within four weeks from date.
6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 4094 of 2024** is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)