

10.12.2024
tkm/ct 28
sl no. 34

C.R.M. (A) 4231 of 2024

In Re : An application for anticipatory bail under section 482 of BNSS 2023 in connection with Saktipur P.S Case no. 261 of 2024 dated 21.10.2024 under sections 498A/376/34 IPC and sections 3/4 of the DP Act

Allowed

and

In Re : Kiyamat Sekh petitioner

Md. Sabir Ahmed
Mr. T Ahmed
Mr. Ezaz Ahmed

..... for the petitioner

Ms. Z N Khan
Ms. Purnima Ghosh

..... for the State

1. Petitioner submits he is a physically challenged person. He has been falsely implicated owing to matrimonial dispute between the de facto complainant and the petitioner's brother. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer.
3. We have considered the materials on record. Petitioner is the brother-in-law of the victim lady. He is a physically challenged person. Allegation of rape is bereft of material particulars with regard to date and time. Possibility of false implication owing to matrimonial dispute cannot be ruled out.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. 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 subject to the conditions as laid down under section 482(2) of BNSS 2023.

6. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

7. The application being CRM (A) 4231 of 2024 is disposed of.

(Gaurang Kanth , J.)

(Joymalya Bagchi, J.)