

10.12.2024
tkm/ct 28
sl no. 49

C.R.M. (A) 4246 of 2024

In Re : An application for anticipatory bail under section 482 of BNSS 2023 in connection with Gangarampur P.S Case no. 469 of 2024 dated 5.9.2024 under sections 329(4)/74/64(1)/62/115(2)/117(2)/110/351(2)/3(5) of BNS 2023 and sections 4/18 of the POCSO Act

Allowed

and

In Re : Chandi Sarkar petitioner

Mr. Imtiaz Ahmed
Mr. M H Chowdhury

..... for the petitioner

Mr. Suman De
Ms. Poulami Bose

..... for the State

1. Petitioner submits that there was dispute amongst the family members. Allegation of attempt to rape is an exaggeration. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer.
3. We have considered the materials on record including the statement of the victim. Incident occurred in the course of a sudden quarrel. Possibility of allegation of attempt to rape being an exaggeration 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) 4246 of 2024 is disposed of.

(Gaurang Kanth , J.)

(Joymalya Bagchi, J.)