

19.12.2024
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sdas
Allowed

C.R.M. (A) No. 4338 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Gangarampur Police Station Case No. 584 of 2024 dated 04.01.2024 under Sections 329(4)/115(2)/109(1)/74/64(1)/62/351(2)/3(5) of the BNS.

And
In Re : Gobin Tudu @ Gobinda Tudu petitioner

Mr. Kaushik Chowdhury
.....for the petitioner

Ms. Faria Hossain
Mr. Tirthankar Dhali
....for the State

1. Heard the learned advocates for the parties.
2. We have considered the materials on record. There is prior enmity between the parties. Earlier, a criminal case on similar allegation was lodged and petitioner had been granted anticipatory bail. Possibility of false implication in the present case to circumvent the order of pre-arrest bail in the earlier case cannot be ruled out. Hence, we are inclined to grant anticipatory bail but movement of the petitioner requires to be restricted in order to instill confidence in the mind of the victim.
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 and on further conditions that while on bail petitioner shall not enter the jurisdiction of Gangarampur Police Station until further orders except for the purpose of reporting to the Officer-in-Charge, Gangarampur Police Station once in a week until further orders and shall provide the address where he shall presently reside to the said officer and the jurisdictional court.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)