

13.12.2024

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Allowed

C.R.M. (A) No. 4366 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Manikchak Police Station Case No. 777 of 2024 dated 19.10.2024 under Sections 78/331(4)/64/62 of the BNS.

And

In Re : Bheem Narayan Mondal @ Bheem Narayan Roy @
Mithun Roy petitioner

Mr. Mrityunjoy Chatterjee
Mrs. Suchismita Chakraborty
Mr. Debapriya Majumder
.....for the petitioner

Mr. Sujan Chatterjee
....for the State

1. Learned Counsel for the petitioner submits he has been falsely implicated due to village rivalry. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. In spite of notice nobody appears for the victim.

4. We have considered the materials on record including the statement of the victim. In the statement victim alleged that petitioner had entered her residence at night and attempted to commit rape. It is unclear how petitioner got access to her residence. Possibility of false implication due to village rivalry cannot be ruled out. Under such circumstances we are inclined to grant anticipatory bail to the petitioner, however, subject to conditions.

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 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 condition that petitioner shall report to the Officer-in-Charge, Manikchak Police Station once in a week until further orders.

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

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)