

05.11.2024
Item no. 17.
Court No.1.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 657 of 2024

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dinhata Women Police Station Case No.79 of 2024 Dated 14.07.2024 under Sections 85/117(2)/109 of the B.N.S. 2023

And

In the matter of : Ranjit Roy

.....Petitioner.

Mr. Sudip Guha for the Petitioner.

Mr. Tapan Bhattacharya
Mr. Dhiman Sil for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner is the husband of the victim lady. He says that he has been falsely implicated. He has filed a criminal complaint earlier in point of time against the victim lady and her family members. This complaint is a counter blast to that. He is prepared to cooperate with the Investigating Authority fully. He prays for anticipatory bail.
2. Opposing the prayer, learned State Advocate draws our attention to the material in the case diary.

3. We have seen the medical report. Prima facie, the report does not support the prosecution case. There is also no statement of the victim lady, which appears to have been recorded either under Section 183 B.N.S.S. or under Section 181 B.N.S.S. The case of the petitioner that the present complaint is by way of a counter blast cannot be ruled out altogether.
4. On an overall consideration of the facts and circumstances of the case and the material on record, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Authority fully.
5. Accordingly, in the event of arrest, the petitioner, namely **Ranjit Roy** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that he shall report to the Investigating Officer once in a fortnight till completion of investigation.
6. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

7. The application for anticipatory bail is allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Biswaroop Chowdhury, J.)

(Arijit Banerjee, J.)