

28.11.2024
SI No.38
s.biswas
(Allowed)

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

CRM (A) 929 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. in connection with **Rajganj** Police Station Case No. **361/2024** dated **13.10.2024** under Section **108** of the BNSS.

And

In Re: **Pankaj Mahanta**

... ... Petitioner

Mr. Jaydeep Kanta Bhowmik
Ms. Debi Sarkar
Ms. Tasmin Haque
Ms. Priti Das

... for the petitioner

Mr. Saikat Chatterjee
Mr. Chattu Roy

... ... for the State

1. The petitioner prays for pre-arrest bail. Learned counsel for the petitioner submits that there was a love relationship between the petitioner and the victim and subsequently, the relationship became strained. The victim committed suicide. Based on the FIR lodged by the father of the victim, this case was initiated. The petitioner submits that he was falsely implicated in this case.
2. Learned counsel appearing on behalf of the State produces the case diary and opposes the prayer for anticipatory bail of the petitioner.
3. Upon hearing the parties and upon perusal of the materials in the case diary including the statement of the victim's mother under Section 164 of the Cr.P.C. corresponding to

Section 183 of the BNSS, we are of the view that custodial interrogation of the petitioner is not necessary and the benefit under Section 482 of the BNSS can be extended to the petitioner to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of equal amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS and on further condition that the petitioner shall meet the investigating officer once in a fortnight until further orders.

5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)