

10.01.2025
15.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 5 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Thanarpara Police Station Case No. 313 of 2024 dated 23.12.2024 under Sections 64/62/115(2)/117(2)/109) of BNS.

And

In Re: **Kamal Mondal @ Kamal Mandal.**

... .. Petitioner

Mr. Abdul Aziz Mondal.

.... for the petitioner

Mr. Somik Ganguly,
Ms. Suruchi Saha.

.... for the State

Mr. Shahan Shah,
Mr. Soumen Barman,
Mr. Sk Abumusa.

.... for the de facto complainant

1. Petitioner contends they are neighbours and he has been falsely implicated. Accordingly, he prays for anticipatory bail.

2. Learned Advocates for the State and *de facto* complainant oppose the prayer for anticipatory bail.

3. We have considered the materials on record including the statement of the victim. In her statement victim alleges petitioner took her to a field and tried to rape her. It is contended there was a fight between the parties and the allegation of attempt to rape is an embellishment.

4. Keeping in mind the aforesaid submission, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Kamal Mondal @ Kamal Mandal** 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 the Bharatiya Nagarik Suraksha Sanhita, 2023. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)