

09.01.2025
Sl. No.42
tkm

C. R. M. (A) 67 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pukhuria Police Station Case No.348 of 2024 dated 25.6.2024 under Sections 498A/323/307/376/511/379 IPC.

And

In Re: YYYYYY Petitioner

Mr. Kalidas Saha
Ms. Mandira Mandal
Ms. K Mollick

... .. for the petitioner

Mr. Avishek Sinha
Ms. Poulami Bose

... .. for the State

1. Petitioner is the brother-in-law of the victim. It is contended he has been falsely implicated due to a matrimonial dispute. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer.
3. We have considered the materials on record. In the FIR it is alleged on 27.5.2024 when her husband was absent, petitioner surreptitiously entered the room and committed rape. But in the FIR it is contended all the in-laws jointly forced the victim into a room and provoked the petitioner to commit rape. The manner and circumstances in which rape is said to have been committed appears to be patently contradictory. Possibility of false implication is not ruled out.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
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 subject to the conditions as laid down under section 482(2) of BNSS 2023.

6. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
7. The application being CRM (A) 67 of 2025 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)