

16.01.2025
15.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 77 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nakashipara Police Station Case No. 1028 of 2024 dated 06.11.2024 under Sections 64/62 of BNS.

And

In Re: **Bishnu Mondal @ Bishnupada.**

... .. Petitioner

Mr. Sabyasachi Bhattacharjee,
Mr. Avijit Ganguly.

.... for the petitioner

Mr. Debabrata Chatterjee,
Mr. Karan Bapuli.

.... for the State

1. Heard learned Advocates for the parties.
2. We have considered the statement of the victim. There is a civil dispute between two families. Her statement shows there was a scuffle between the members of the said families. Her wearing apparels was torn. Whether the alleged acts were with the intention to commit rape or were in course of a free fight between the parties requires to be assessed at the appropriate stage of the proceeding.
3. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner subject to conditions.
4. Accordingly, we direct that in the event of arrest, the petitioner viz., **Bishnu Mondal @ Bishnupada** 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 and on further condition petitioner while on bail shall not enter the jurisdiction of Nakashipara Police Station except for the purpose of attending court proceeding and shall provide the address where he shall presently residing to the investigating agency and to the trial Court and shall report to the Officer-in-Charge of the police station concerned where he shall presently residing once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)