

C.R.M. (A) 131 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Santipur Police Station Case No.23 of 2025 dated 06.01.2025 under Sections 324(4)/64/62/351(2)/(3) of the Bharatiya Nyaya Sanhita, 2023

And

In Re: **Gourango Ghosh @ Goranga Ghosh**

... Petitioner

Ms. Sananda Bhattacharyya

...for the Petitioner

Ms. Minoti Gomes
Mr. Sachit Talukdar

...for the State

1. Petitioner submits that allegation of attempt to rape is out and out false. No injury report supporting the allegation in respect of assault on the victim's mother is also placed on record. Accordingly, petitioner prays for anticipatory bail.

2. Learned lawyer for the State opposes the prayer. In spite of notice, nobody appears for the victim.

3. We have considered the materials on record including statement of the victim and her mother. It is alleged at night petitioner had forcibly entered the room and attempted to rape the victim. He had also assaulted the victim's mother. No injury report with regard to assault is placed on record. Credibility of victim's version that petitioner had attempted to rape her requires to be assessed in light of the aforesaid circumstance at the appropriate stage of the proceeding. Under such circumstances, we are of the opinion though custodial interrogation may not be necessary, movement of the petitioner requires to be restricted in order to instill confidence in the

mind of the victim and other witnesses. Hence, we are inclined to grant anticipatory bail.

4. Accordingly, we direct that in the event of arrest, the petitioner viz., Gourango Ghosh @ Goranga Ghosh 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 Santipur 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.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)