

05.02.2025
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Allowed

C.R.M. (A) No. 147 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Manikchak Police Station Case No. 829 of 2024 dated 04.11.2024 under Sections 329(3)/303(2)/70(1)/62/74/117(2)/3(5) of the Bharatiya Nyaya Sanhita.

And

In Re : Sk. Hajal @ Sekh Hajal & Ors. petitioners

Mr. Tapodip Gupta

.....for the petitioners

Mr. Sanjoy Bardhan

Ms. Puspita Saha

....for the State

1. Learned Counsel for the petitioners submits there is a land dispute between the parties. As a result they have been falsely implicated. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. In spite of notice nobody appears for the victim.

4. We have considered the materials on record including statement of the victim. There is delay in lodging FIR. Possibility of embellishment of the charge of attempt to rape due to long standing land dispute cannot be ruled out. Under such circumstances we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of

Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)