

12.02.2025
19.
Ct. No. 28
SG
[Allowed]

C. R. M. (A) 259 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dhubulia Police Station Case No. 429/2024 dated 04.12.2024 under Sections 85/117(2)/64/62/3(5) of BNS.

And

In Re: **XXX**.

... .. Petitioner

Mr. Sumanta Das,
Ms. Suman Biswas,
Mr. Avilash Tripathi.

.... For the petitioner

Mr. Provash Bhattacharya,
Mr. Sobhan Gani.

.... For the State

Mr. Gunjan Kumar Singh,
Mr. Vijay Kumar Verma,
Ms. Priyanka Shukla,
Ms. Sweta Singh.

...for the de facto complainant

1. Petitioner submits there is domestic quarrel between the parties. He has been falsely implicated. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State and *de facto* complainant oppose the prayer for anticipatory bail. Learned Advocate for the *de facto* complainant submits she and her husband cannot return to their residence.

3. We have considered the materials on record including the statement of the *de facto* complainant-victim. It is alleged petitioner had molested and assaulted her. *De facto* complainant contends out of fear she is unable to return to their residence.

4. Keeping in mind the aforesaid facts, we are of the opinion custodial interrogation is not necessary but petitioner requires to cooperate with investigation.

5. Accordingly, we direct that in the event of arrest, the petitioner 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 that the petitioner shall meet the Investigating Officer once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. Application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)