

13.02.2025

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Allowed

C.R.M. (A) No. 322 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Gazole Police Station Case No. 1070 of 2024 dated 25.11.2024 under Sections 329(4)/69/351(2)/3(5) of the BNS.

And

In Re : Amaul Hoque @ Anamul petitioner

Mr. Arup Kumar Bhowmick

.....for the petitioner

Mr. Binay Kumar Panda

Ms. Afreen Begum

....for the State

Mr. Sauradeep Dutta

.... for de facto complainant

1. Learned Counsel for the petitioner submits victim is a married lady and has been falsely implicated in the alleged crime.

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

3. Learned Counsel for the *de facto* complainant also opposes the prayer for anticipatory bail.

4. We have considered the materials on record. Statement of victim shows petitioner and victim developed illicit relationship and cohabited. She is a married lady. Whether cohabitation was due to illicit association or on the false promise of marriage has to be assessed at the appropriate stage

of the proceeding. Custodial interrogation for progress of investigation is not necessary and petitioner may be granted anticipatory bail.

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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that he shall meet the investigating officer once in a week until further orders and shall not interact with the victim directly or through electronic means. He 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)