

07.02.2025
Sl. No.14
akd
[ALLOWED]

C. R. M. (A) 366 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 28.01.2025 in connection with Kharagpur Local Police Station Case No.1075 of 2024 dated 14.12.2024 under Sections 126(2)/115(2)/117(2)/118(1)/109(1)/75(2)/76/79/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 8 of the POCSO Act.

And

In Re: ***Selima Bibi***

... .. Petitioner

Mr. Aasif Iqbal
Mr. Debdip Mandal

... .. for the petitioner

Mr. Binay Kumar Panda
Ms. Sreetama Das

... .. for the State

1. It is submitted on behalf of the petitioner there is a civil dispute pending between the parties. Petitioner is an ailing lady suffering from paralysis. She has been falsely implicated. Accordingly, she prays for anticipatory bail.

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

3. We have considered the materials on record. There is prior dispute between the parties. Petitioner is an ailing old lady. Possibility of false implication cannot be ruled out. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and she may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, ***Selima Bibi***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 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.)