

26.02.2025
09.
Ct. No. 28
SG
[Allowed]

C. R. M. (A) 464 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Keshiary Police Station Case No. 184 of 2024 dated 19.08.2024 under Sections 498A/323/324/342/376(2)(n)/506/34 of IPC and 3/4 of DP Act.

And

In Re: **Paramananda Roy.**

... .. Petitioner

Mr. Soumen Kumar Dutta, Sr. Adv.
Mr. Partha Sarathi Basu,
Mr. Subham Dutta.

... for the petitioner

Ms. Sonali Das,
Mr. Asif Dewan.

.... for the State

Mr. Sakya Maity.

... for the de facto complainant

1. At the outset *de facto* complainant indicates an incorrect fact had been recorded in our earlier order dated 19.02.2025. In the first paragraph it was stated petitioner's sister-in-law lodged a criminal case being Keshiary Police Station Case No. 256 of 2024 dated 05.11.2024 alleging she had videographed the 'petitioner and the victim living together'. This is incorrect. In the aforesaid case petitioner's sister-in-law (S) alleged her husband was having illicit relation with the *de facto* complainant herein.

2. We have considered the rival submissions at the bar. We have also perused the case diary in Keshiary Police Station Case No. 256 of 2024 dated 05.11.2024 and the present case. One 'S' is the petitioner's sister-in-law. She alleged the victim i.e. 'V' had

illicit affair with her husband. A criminal case was registered. In the meantime the victim had lodged criminal case against her husband and in-laws alleging cruelty. In the said case she alleged the petitioner i.e. S's brother-in-law had raped her. Learned Counsel for the *de facto* complainant contends the present case was registered earlier and in V's statement she stated petitioner had raped her.

3. No doubt the allegations are serious. However, materials collected in the course of the investigation of the other case show petitioner's sister-in-law i.e. 'S' had lodged case alleging her husband had illicit relationship with the victim. It has also been alleged she had taken a videograph of them together but had not hand over the mobile phone containing the electronic record.

4. Given this situation, it appears there are materials implicating the victim (V) in an illicit relationship with the husband of 'S', a relation of petitioner. Revelation of this fact may have created rupture in the victim's matrimonial life and prompted her to implicate the petitioner in the crime. Possibility of false implication owing to the alleged illicit association of the victim cannot be ruled out.

5. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner subject to conditions.

6. Accordingly, we direct that in the event of arrest, the petitioner viz., **Paramananda Roy** 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)