

20.02.2025

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Allowed

C.R.M. (A) No. 585 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Murshidabad Police Station Case No. 33 of 2025 dated 10.01.2025 under Sections 329(4)/64/62/115(2)/351(2)(3)/79/3(5) of the BNS.

And

In Re : Piju Mondal @ Priyankar Mondal & Ors. Petitioners

Mr. Asim Kumar Chakraborti

.....for the petitioners

Mr. Suman De

Mr. Arani Bhattacharyya

.....for the State

1. Learned Counsel for the petitioners submits there is delay in lodging FIR. They have been falsely implicated due to rivalry. They pray for anticipatory bail.

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

3. We have considered the materials on record including statement of the victim lady. She alleged petitioners had entered into the house and tried to commit rape. However, delay in lodging FIR has not been explained. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners, however, subject to conditions.

4. 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 further conditions that while on bail petitioners shall not enter the jurisdiction of Murshidabad Police Station until further orders and shall provide address where they shall presently reside to the investigating officer and the jurisdictional court and report to the officer-in-charge of the concerned police station within whose jurisdiction they shall presently reside once in a week until further orders. They shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)