

C. R. M. (A) 595 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 14.02.2025 in connection with Hogolberia Police Station Case No.324 of 2024 dated 26.12.2024 under Sections 85/64/62/117(2)/316(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **XXX**

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Ashok Das

... .. for the State

1. It is submitted on behalf of the petitioner that he is the brother-in-law of the victim lady. There is delay in lodging FIR. Allegation of attempt to rape has been falsely concocted to implicate the petitioner in the crime. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. In spite of notice, nobody appears for the victim.
4. We have considered the materials on record. There is delay in lodging FIR. Possibility of false implication owing to a matrimonial dispute cannot be ruled out. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.
5. Accordingly, we direct in the event of arrest, the accused/petitioner 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.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)