

28.02.2025
Sl. No.2
akd
[ALLOWED]

C. R. M. (A) 610 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 17.02.2025 in connection with Jiaganj Police Station Case No.468 of 2024 dated 02.12.2024 under Sections 126(2)/115(2)/75/79/351(3)/62/108 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8/10 of the POCSO Act and subsequently charge sheet submitted under Sections 126(2)/115(2)/117(2)/75/79/351(3)/62/108 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8/10/17 of the POCSO Act.

And

In Re: ***Sampa Roy @ Sampa Roy (Saha) @ Shampa Roy***
... .. Petitioner

Ms. Madhurai Sinha
Mr. Ranabeer Halder

... .. for the petitioner

Mr. Rana Mukherjee
Mr. Mainak Gupta

... .. for the State

1. It is submitted on behalf of the petitioner de-facto complainant used to disturb members of the locality. Petitioner had lodged a complaint against him. In retaliation, the present case has been lodged. Accordingly, she prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Nobody appears for the victim.
4. We have considered the materials on record including the statement of the victim. It is contended there was dispute between the petitioner's family and the de-facto complainant. Petitioner had lodged an earlier criminal case against the de-facto complainant. She is not the principal accused. Possibility of false implication owing to prior enmity 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.

5. Accordingly, we direct in the event of arrest, the accused/petitioner namely, ***Sampa Roy @ Sampa Roy (Saha) @ Shampa Roy***, 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.)