

25.02.2025

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Allowed

C.R.M. (A) No. 654 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Lake Town Police Station Case No. 436 of 2024 dated 03.12.2024 under Sections 108/351(2)/3(5) of the BNS.

And

In Re : Ujjwal @ Ujjal Ghosh petitioner

Mr. Shibaji Kumar Das
Ms. Deblina De
Ms. Nilanjana Sarkar

.....for the petitioner

Mr. Joydeep Roy
Ms. Manshi Roy

....for the State

1. Learned Counsel for the petitioner submits petitioner's niece was molested by the victim's father. A criminal case was registered against him. Victim committed suicide. Petitioner has been falsely implicated. He prays for anticipatory bail.

2. Learned Counsel for the State produces the Case Diary.

3. We have considered the materials on record. Petitioner's niece was molested by the victim's father. A criminal case was registered against him. There is prior enmity between the petitioner and the victim's family. She committed suicide. No suicide note implicating the petitioner is placed on record. Possibility of false implication due to prior enmity

cannot be ruled out. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

4. Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he 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.)