

D/L53

17.03.2025
Rohit
ct.no.26

C.R.M. (A) 802 of 2025

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973/ under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection Kandi Police Station Case No. 544 of 2024 dated 25.11.2024 under Sections 329(4)/79/64/62/115(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Narajul Sk**

...Petitioner

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous

...for the petitioner

Ms. Sayanti Santra
Mr. Prakash Mishra

...for the State

Mr. Rajesh Naskar

...for the defacto complainant

1. Petitioner, State and the defacto complainant are represented.
2. Defacto complainant is forty one years of age. Statement recorded by her under Section 183 of BNSS suggests there was an attempt to rape her by the petitioner.
3. Petitioner appears to be orthopedically challenged. There is an issue of delay in the lodgment of the FIR also.
4. Considering the facts narrated above, the materials in the case diary, the nature of the incident and involvement of the petitioner therein, we grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest the petitioner will 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS and on further condition that the petitioner shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and on further condition that the petitioner shall appear on every date before the jurisdictional court on and from the date fixed for appearance of the accused and in default the jurisdictional court will pass appropriate order to secure the presence of the petitioner in court including cancelling the anticipatory bail granted without further reference to this Court.
6. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Smita Das De, J.)