

05.05.2025
Court No.28
Item No.106
ssi

CRM (A) 1084 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Jalangi PS Case No.**56 of 2025** dated **03.02.2025** under Sections **64 (1)/77/351 (3)** of BNSS.

And

In the matter of: **Sajon Mondal @ Matiur Rahaman**

....Applicant/Petitioner.

Mr. Jisan Iqbal Hossain

...for the petitioner

Mr. Binay Kr. Panda

Mr. Akash Ganguly

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. There was a dispute between the husband of the de facto complainant and the petitioner which led to the de facto complainant instituting the instant false complaint alleging rape. There is a delay of about two months in lodging the FIR. In fact, prior to the incident, there was a scuffle between the husband of the complainant and the petitioner which resulted in injuries being inflicted on the present petitioner.

Learned counsel appearing on behalf of the State relies on the case diary and submits as follows. The statement of the victim implicates the petitioner. But, the medical examination was done much later. It comes out from the statement of a neighbor that the husband of the victim and the petitioner has a good relation. That is why the petitioner was often visiting their house even in the absence of the husband. However, later it was learnt that the petitioner committed rape upon the victim.

Considering the nature of allegations and the materials available in the case diary, the purported delay in lodging the FIR and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail to the petitioner is allowed.

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, one of whom must be local, 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, 2023 and on further conditions that the petitioner shall not threaten or intimidate witnesses.

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

(Jay Sengupta, J.)