

16.04.2025
Court No.28
Item No.13
ssi

CRM (A) 1157 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Tehatta** P.S. Case No.**107 of 2025** dated **09.02.2025** under Sections **126(2)/64/62** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Chiranjit Halder @ Anup Halder.**

....Applicant/Petitioner.

Mr. Asraf Mondal
Mr. Tanbir Mondal

...for the petitioner.

Mr. Ashok Das

...for the State.

Affidavit of service filed on behalf of the petitioner and report filed on behalf of the State showing service upon the defacto complainant are taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. The FIR was lodged 7 days after the alleged incident. A charge sheet has been submitted.

Learned counsel appearing on behalf of the State relies on the case diary and points to the statement of the victim recorded before the Magistrate and statement of local witnesses and related witnesses.

It appears from the case diary that the victim had refused to undergo medical examination.

Considering the nature of allegations, the statements of the independent witness and the fact that the charge sheet has been submitted, I am inclined to allow the anticipatory bail, however, by restricting the movement of the petitioner for a limited period.

In view thereof, the prayer for anticipatory bail 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 surrender before the learned trial Court and pray for bail within four weeks and shall not try to influence the witnesses or threaten them and stay out of beyond the jurisdiction of Tehatta Police Station for a period of six months from this date, except for attending Court or meeting the Investigating Officer.

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

(Jay Sengupta, J.)