

19/05/2025

D/L 46
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1601 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Raiganj Women Police station case no. 126 of 2024 dated 19.12.2024 under sections 85/82/109/64/74/3(5) of the BNS.

In the matter of: XXX

... Petitioner

Mr. Sattik Rout
Ms. S. Misra

...for the petitioner.

Mr. Bidyut Kr. Roy
Mr. Mujibar Ali Naskar

...for the State.

1. Learned counsel appearing for the petitioner submits as follows. The petitioner is the elder brother-in-law of the de-facto complainant/victim. The marriage between the alleged victim and the petitioner's brother took place about fourteen years ago. It was only after the petitioner's brother got married for the second time that the disputes arose. The victim's allegations that the petitioner and another tried to rape her and she fled away from the window is absolute false as, among other things, the window had grills on it.
2. Learned counsel appearing for the State relies on the case diary and the materials available in the case diary including the statement of the victim recorded by the Magistrate. He submits that the charge-sheet has been submitted.

3. In view of the nature of allegations and the materials available in the case diary and the fact that charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.
4. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall not threaten or intimidate witnesses. The petitioner shall attend the jurisdictional Court on the dates fixed.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)