

30/06/2025

D/L 22

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 1684 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 Ramnagar Police Station case no. 581 of 2023 dated 14.9.2023 under section 447/341/376/379/506/34 of the IPC.

In the matter of: Dipak Giri & Ors.

... Petitioners

Ms. Sudeshna Das

...for the petitioners.

Mr. Iqbal Kabir

Mr. Nahid Ahmed

...for the State.

1. Affidavit of service filed on behalf of the petitioners is taken on record.
2. Despite service no one appears on behalf of the de-facto complainant/alleged victim.
3. Learned counsel appearing on behalf of the petitioners submits as follows. There are several litigations pending between the petitioners and the de-facto complainant/victim. As a counter-blast the instant case was instituted. A charge-sheet has already been submitted.
4. Learned counsel appearing on behalf of the State relies on the case diary and submits as follows. Although notice was given to the victim to make a statement before the learned Magistrate, she refused to do so. The victim also refused medical examination.

5. Considering the materials available in the case diary and the fact that victim had refused to make a statement before the Magistrate or even go for a medical examination and the fact that charge-sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioners.
6. In the event of arrest, the petitioners 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 conditions that the petitioners shall cooperate with the investigation and the petitioners shall not threaten or intimidate witnesses. The petitioners shall meet the I.O once a month for a period of four months.
7. Accordingly, the application for anticipatory bail is allowed.

(Jay Sengupta, J.)