

14.07.2025

Item No.7
Court No. 25
Sudipta

Allowed

CRM (A) 2055 of 2025

In Re: An application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malda Police Station Case No. 248/2025 dated 15.04.2025 under Sections 64(1) / 351 (2) of BNS.

And

In Re : **Shepala @ Shyapala Mushhar**
.....Petitioner

For the Petitioner :
Mr. Kazi M. Rahman
.....Advocate

For the State :
Mr. S. S. Imam
Mr. Md. E. Akhtar
.....Advocates

1. Affidavit of service filed. Let it be taken on record.
2. Learned counsel for the petitioner submits that even as per allegations in the FIR, the petitioner had been committing rape for the last round more than one year.
3. Learned counsel for the State has opposed the anticipatory bail application and submits that the victim has corroborated the allegations made in FIR in her statement under Section 164 Cr.P.C.
4. I have gone through the case diary. Admittedly, the victim is a major lady. Perusal of the case diary dated 16th April, 2025 reveals that the petitioner who is a Guni (Ojha) allured the

victim since last one year in different manner and committed rape. There is nothing on the record to suggest that the victim in any manner had no access for making the complaint or she was confined or pressurized by the petitioner to not to lodge any complaint.

5. Taking into account, in the event of arrest, the petitioner shall be released on anticipatory bail upon furnishing personal bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount of each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions that the petitioner shall stay outside the jurisdiction of Malda Police Station for a period of four months from this date, except for attending court or meeting the Investigating Officer and the petitioner shall not threaten or intimidate or tamper with the prosecution witnesses in any manner.
6. Prayer for anticipatory bail is allowed.
7. Hence, CRM (A) 2055 of 2025 stands disposed of accordingly.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Dinesh Kumar Sharma, J.)