

25/08/2025

D/L 46

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2592 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 Goalpokher police station case no. 66/2024 dated 10.2.2024 under sections 417/376 of the IPC.

In the matter of: Md. Rahamat Ali @ Rahamat Ali
... Petitioner

Mr. Amit Roy

...for the petitioner.

Ms. Zareen N. Khan

Mr. Subhasish Datta

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Despite service, no one appears on the behalf of the de-facto complainant.
3. It appears that the allegation of rape was levelled after about one year and half from the alleged date of occurrence. From the statement of the victim recorded before the Magistrate it appears that even after the alleged incident, she agreed to the proposal of the petitioner to get married, but finally the petitioner did not get married to the alleged victim.
4. Considering the materials available in the case diary, the delay occasioned in registering such FIR and the fact that charge-sheet has been submitted, I am inclined to grant anticipatory bail to the present petitioner.

5. 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 surrender before the learned jurisdictional Court and pray for bail within four weeks from date and shall regularly attend the jurisdictional Court.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)