

14.01.2025
07.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 4504 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pukhuria Police Station Case No. 546 of 2024 dated 19.09.2024 under Sections 329(4)/64/62/115(2)/351(3)/303(2) of BNS.

And

In Re: **Mojibur Rahaman @ Md Mojibur Rahaman.**

... ... Petitioner

Mr. Md. Wasim Akram.

..... for the petitioner

Mr. Soumik Ganguly,
Ms. Debjani Saha.

..... for the State

Mr. Avibana Patra.

.... For the de facto complainant

1. Petitioner submits there was an intimate relationship between the parties. Subsequently, the relationship ended and petitioner had married another woman in 2018. Subsequently, he has been falsely implicated. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State and *de facto* complainant oppose the prayer for anticipatory bail.

3. We have considered the materials on record including the statement of the victim. Victim stated there was free mixing between the parties. Petitioner contends the relationship had ended much earlier and then he had married another lady. Possibility of false implication due to prior relationship cannot be ruled out.

4. Under such circumstances, we are of the opinion custodial interrogation may not be necessary but movement of the petitioner requires to be restricted in order to instill confidence in the minds of the victim and other witness.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Mojibur Rahaman @ Md Mojibur Rahaman** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition petitioner while on bail shall not enter the jurisdiction of Pukhuria Police Station until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)