

09.01.2025
20
sdas
Allowed

C.R.M. (A) No. 4596 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Salar Police Station Case No. 381 of 2024 dated 28.11.2024 under Sections 64/62/351(3) of the BNS.

And
In Re : Meghnath Hazra petitioner

Ms. Minoti Gomes
Md. Hafiz Ali
.....for the petitioner

Mr. Saibal Bapuli, learned APP
Ms. Pallavi Priyadarshee
....for the State

1. Learned Counsel for the petitioner submits allegation of attempt to rape is false. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. Nobody appears for the *de facto* complainant.

4. We have considered statement of the victim. She stated petitioner had called her at night. It is not explained why she responded to the call of the petitioner at the dead of night. Be that as it may, whether his conduct even as per the victim's statement would amount attempt to rape will be assessed at the appropriate stage of proceeding. Keeping in mind the facts we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)