

20.01.2025

Ct. No. 1
Sl. No.30
akd
[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 979 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 02.12.2024 in connection with Boxirhat Police Station Case No. 378 of 2024 dated 24.08.2024 under Sections 107/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.994 of 2024)

And

In Re: **Rejina Bibi & Anr.**

... .. Petitioners

Mr. Satyajit Paul

... .. for the petitioners

Mr. Tapan Bhattacharjee
Mr. Dhiman Sil

... .. for the State

1. Petitioners are the neighbours of the victim girl. It is submitted on behalf of the petitioners that they have been falsely implicated out of enmity. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the allegations in the FIR as well as statements of witnesses. In the FIR it is alleged petitioners used to harass and abuse the victim alleging she was a girl of loose character. Out of depression, victim committed suicide. No contemporaneous document showing report to police with regard to prior harassment is placed on record. Victim did not leave behind any suicide note. Possibility of false implication due to enmity cannot be ruled out. Under such circumstances, we are of the opinion custodial interrogation of the petitioners for progress of investigation is not necessary and they may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the petitioners, namely **(1) *Rejina Bibi* & (2) *Sajina Khatun***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 that the petitioners shall appear before the jurisdictional and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)