

12.02.2026
Court No.28
Item No. 22
tbsr
Allowed

CRM (A) 129 of 2026

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973/under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Chanchal** P.S. Case No.1070 of 2022 dated **09.09.2022** under Sections **448/509/376/506/109/379** of the IPC, 1860.

And

In the matter of: Rakib @ Rakib Ali & Anr.

....Petitioners.

Mr. Sunayan Ghosh
Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury
Ms. Khadijatul Kubra
Ms. Ilika Nag
Mr. Avijit Chatterjee
Mr. Anish Goswami

....for the petitioners

Ms. Shaila Afrin
Ms. Eshita Dutta

....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The sister of the petitioner no. 1 was having a dispute with her in-laws. She was constrained to file the first case, an FIR, in early part of 2022. As a counter-blast, the sister-in-law of the said lady filed a false case of rape against relatives of the said lady. They continued with such mischief and lodged the present FIR with similar allegations. The petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, she relies on the statements of neighbours as well who do not support the contentions of the de facto complainant. The medical report also does not show any significant injury.

Considering the above and the other materials available in the case diary and the fact that prior cases are pending between the private parties, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioners shall cooperate with investigation, shall meet the I.O. once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)