

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

19.08.2019.
158.
as
(Allowed).

C.R.M. 599 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 19.07.2019 in connection with Kotwali Women P. S. Case No.73 of 2019 dated 29.06.2019 under Sections 493/376/506 of the Indian Penal Code.

In the matter of : Samrat Sarkar.

... Petitioner.

Mr. Sourav Gnaugly,
Mr. Debajit Kundu.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, ld. A.P.P.,
Mr. Sagnik Sankar Sikdar.

.....for the State.

Heard the learned Advocates appearing for the parties.

Having considered the materials on record and bearing in mind the nature of allegations including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and in the light of the submission that the parties had an amorous relationship and the victim lady was major at the time of cohabitation and was aware of the consequences thereof, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner viz., Samrat Sarkar 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall appear before the trial court and pray for regular bail within four weeks from date and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.

This application for anticipatory bail is, thus, disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)