

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

27.08.2019
tkm/ct 1
sl no. 37

C.R.M. 732 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 20.8.2019 in connection with Falakata P.S case no. 305 of 2019 dated 18.6.2019 under sections 376(2)(o)/109 of the IPC

And

Allowed

In Re : Sahadeb Mandal

..... petitioner

Mr. K. Das

..... for the petitioner

Mr. A. S. Chakraborty

Mr. S. Ganguly

..... for the State

It is submitted on behalf of the petitioner that there was an illicit relationship between him and the victim lady and he has been falsely implicated in the instant case at the behest of her husband who is residing elsewhere.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the petitioner had threatened the victim lady with blackmail and cohabited with her.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission made on behalf of the petitioner with regard to an illicit association between themselves which subsequently came to light resulting in his false implication, we are inclined to grant anticipatory bail to the petitioner however, subject to strict condition.

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 subject to the conditions as laid

down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the investigating officer once in a week while on bail until further orders and that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 732 of 2019 is disposed of.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)