

16.12.2020
tkm/ct 28
sl no. 89

**C.R.M. 2828 of 2020
(via video conference)**

Allowed

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Bongaon P.S case 439 of 2017 dated 26.4.2017 under sections 341/354B/376/511/506/34 of the IPC

and

In Re : Bablu Biswas

..... petitioner

Mr. M K Mukherjee

..... for the petitioner

Mr. Sudip Komar

..... for the State

It is submitted on behalf of the petitioner that there is a dispute between the petitioner and her husband. Petitioner is an associate of the husband of the de facto complainant.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have examined the statement of the victim recorded under section 164 Cr.P.C.

Allegation of attempting to ravish the victim may be assessed in the light of possibility of false implication due to pre-existing matrimonial dispute.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

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.

The application being CRM 2828 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)