

CRM 6363 of 2020
with
CRAN 1 of 2020
(Via Video Conference)

In re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta P.S. Case No. 232 of 2020 dated 19th June, 2020 under Sections 448/376 of the Indian Penal Code.

In the matter of : **Imran Mondal @ Iran Mondal**
..... petitioner

Mr. Amanul Islam

....For the petitioner

Mr. Bidyut Kumar Ray
Ms. Rita Dutta

.....For the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner says that a false complaint has been brought against him.

However, the State relies on the statement of the survivor recorded under Section 164 of the Code. The statement named the petitioner and the acts indulged in have been described in great detail.

The petitioner refers to paragraph-4 of the petition and the allegation therein that a similar charge was brought against the alleged survivor's husband by the petitioner's wife.

It appears that there is an element of enmity between the defactor complainant and the accused. Considering the material,

there may not be any need for the petitioner to be taken into custody as long as he cooperates with the investigation and reports to the investigating officer as and when called till the investigation is completed.

Subject to the above, if arrested, the petitioner will be enlarged on bail upon furnishing a bond of Rs.20,000/- (Rupees twenty thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of arresting officer. The petitioner will also comply with the conditions laid down in Section 438(2) of the Code.

CRM 6363 of 2020 and CRAN 1 of 2020 are disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)