

16.09.2020
SL No.57
Court No.8
(gc)
(Allowed)

CRM 6636 of 2020
CRAN 1 of 2020

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **02.09.2020** in connection with **Dinhata Women** P.S. Case No.**55/2020** dated **28.07.2020** under Sections **506/109** of the Indian Penal Code.

And

In the matter of: **Rabiul Alam**

....Petitioner.

Mr. Kallol Mondal,
Mr. A. Ghosh,

...for the Petitioner.

Mr. Ujjawal Luksom,
Mr. Tapan Bhattacharjee

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

The learned Counsel appearing on behalf of the petitioner submits that there was a love affair between the petitioner and the victim girl.

The learned Counsel appearing on behalf of the State relies on the statement of the victim girl recorded under Section 164 of the Cr.P.C.

Although the victim is aged about 15 years and the petitioner is aged about 21 years, it appears that there was some kind of acquaintance between the two.

Considering the nature of allegations and the role ascribed to the present petitioner, we do not think that custodial interrogation of the petitioner is required in this case. Accordingly, we are inclined to allow the application for anticipatory bail to the petitioner. In the event of arrest the petitioner shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) together with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Cr.P.C.

It is further directed that the petitioner shall meet the I.O. of the case once in a week. The petitioner shall not enter the jurisdiction of Dinhata Women Police Station excepting for meeting the I.O. or attending the Court.

The application for anticipatory bail being CRM 6636 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Jay Sengupta, J.)

(Soumen Sen, J.)