

22.09.2020
D.L.No.28
Bpg.
Allowed.

**CRM 6640 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Alipurduar Police Station Case No.45 of 2020 dated 30.01.2020 under Sections 376/354/326 and 109 of the Indian Penal Code, 1860.

And

In the matter of: **Hriday Barman.**

...Petitioner.

Mr. Arijit Ghosh

...for the Petitioner.

Mr. Kollol Acharyya
Mr. Sagnik Sankar Sikdar

...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 claims that a false case has been made out against the petitioner.

The State fairly submits that the survivor's statement under Section 164 of the Code refers to one Dhananjay having committed rape.

In the circumstances, the petitioner is entitled to anticipatory bail.

Accordingly, in the event of arrest, the petitioner will be enlarged on bail upon furnishing security of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer. The

petitioner will also comply with the conditions laid down in Section 438(2) of the Code.

CRM 6640 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)