

28.09.2020
Sl. No.40
akd
[ALLOWED]

C. R. M. 7073 of 2020 [via video conferencing]
(CRAN 1 of 2020)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 663 of 2020 dated 03.09.2020 under Sections 417/376 of the Indian Penal Code.

And

In Re: **Md. Sayed Sk.**

... .. Petitioner

Mr. Mrityunjay Chatterjee .. Advocate

... .. for the petitioner

Mr. Madhusudan Sur .. Ld. Addl. Public Prosecutor

Mr. Aniket Mitra .. Advocate

... .. for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

The application being CRAN 1 of 2020 is accordingly, disposed of.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that the parties who are adults had indulged in consensual sex, we are of the opinion that custodial interrogation of the accused/petitioner is not necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Md. Sayed Sk.**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Kausik Chanda, J.)

(Joymalya Bagchi, J.)