

08.10.2020
SL No.12
Court No.10
am

CRM 7446 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 in connection with **Chanchol** P.S. Case No.**681/2020** dated **12.08.2020** under Sections **376D** of the Indian Penal Code.

And

In the matter of: **Sri Abhijit Dutta**

....Petitioner.

Mr. Husen Mustafi

...for the Petitioner.

Mr. S.S. Imam,
Mr. Subrata Roy

...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.

Learned counsel appearing on behalf of the petitioner submits that he has been falsely implicated in the instant case. It is stated that actually the complainant is a good friend of his wife who is a bar-dancer and a matrimonial dispute is going on.

Learned counsel appearing on behalf of the State opposes the prayer for bail. He however frankly submits that in spite of several notices issued under Section 41A of the Code of Criminal Procedure the complainant did not respond as a result whereof, the investigation could not be concluded.

Considering the materials on record and the extent of complicity and involvement of the petitioner in the commission of the alleged offence, we are inclined to grant anticipatory bail to the petitioner. In the event of arrest the petitioners 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 a month.

The application for anticipatory bail being CRM 7446 of 2020 is allowed.

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

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)