

19.01.2020

34
AGM
Ct. No.16

Allowed

CRM 7547 of 2020
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 Sahebganj P.S. Case No. 279/2020 dated 11.07.2020 under Sections 376(2) (n)/506/109 of the Indian Penal Code corresponding to G.R. No. 313 of 2020.

And

In the matter of : **Amit Barman**

..... Petitioner

Mr. Subhasish Misra

.... for the Petitioner

Mr. Aditi Sankar Chakraborty,
Mr. Sagnik 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 consensual relationship with a married woman may have been discovered by others, which forced the consenting lady to lodge a belated complaint.

The State relies on the statement of the survivor made under Section 164 of the Code of Criminal Procedure. No details are indicated. There is a vague accusation that the petitioner used force on the survivor.

Considering the material available, the custodial interrogation of the petitioner is deemed unnecessary. However, the petitioner will report

to the Investigating Officer as and when called till the investigation is completed.

Subject to the above, in the event of arrest, the petitioner would be enlarged on bail on furnishing security of Rs.10,000/- (rupees ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer.

The petitioner should abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

CRM 7547 of 2020 and CRAN 1 of 2020 are disposed of.

The petitioner should not attempt to contact the survivor till the investigation is completed, or thereafter if charges are pressed, till the trial is concluded.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)