

CRM 7592 of 2020

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 30.09.2020 in connection with Tamluk Police Station Case No. 743 of 2019 dated 07.12.2019 under Sections 406/417/376/313/448/341/323/354/379/506/34 of the Indian Penal Code.

Sk. Samin
Vs.
The State of W. B.

Ms. Shyanti Poddar
.....For the Petitioner

Mr. Bidyut Kumar Roy, Sr. Advocate
Ms. Rita Dutta
.....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 videoconference on the basis of such undertaking.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case.

The learned counsel for the State opposes the prayer for anticipatory bail.

It appears from the record that the foundation of the complaint is false promise of marriage to the petitioner.

On the basis of the materials on record and having considered the statements recorded under Section 161 of the Code of Criminal Procedure, we are of the view that custodial interrogation of the petitioner may not be necessary.

Under such circumstances the anticipatory bail is

allowed.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond 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 and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and shall not leave the jurisdiction of Tamluk Police Station without the permission of the I. O. or the jurisdictional court.

The charge sheet has already been filed.

The application for anticipatory bail is, thus, allowed.

In the event he fails to comply with the conditions as enshrined hereinabove, his bail shall automatically stand cancelled without reference to this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Aniruddha Roy, J.)

(Soumen Sen, J.)