

42 27.11.2020
rkd Ct. No.03
(Allowed)

C.R.M. 7686 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Durgapur Women** P.S. Case No. **41 of 2020** dated **17/08/2020** under Section **498A/323/325/307/354/406/506/120B/343** of the Indian Penal Code and under Sections **3/4** of the D.P. Act.

And

In the matter of: Loknath Karmakar

....petitioner.

Mr. S. Chatterjee

...for the petitioner.

Mr. B. K. Roy,

Ms. R. Datta

...for the State.

It is submitted on behalf of the petitioner that there is inordinate delay in lodging the first information report.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that the victim was physically assaulted and medically treated.

We have considered the materials on record. Although there are medical reports relating to treatment of the victim with regard to alleged assault in June, 2020, we also note after the incident the victim had returned to the matrimonial home. In view of the aforesaid fact, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail subject to conditions.

In the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs. 10,000/- 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 and on further

condition that he shall meet the investigating officer once in a week until further orders.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)