

16.12.2020
Court No.28
SL No.111
AP

CRM 7883 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** P.S. Case No.**34 of 2020** dated **17.01.2020** under Sections **376/506** of the Indian Penal Code.

And

In the matter of: **Swapan Rabidas**

....Petitioner.

Mr. Debapratim Guha,
Mr. Rajiv Lochan Chakraborty,
Mr. Priyanjit Kundu,

...for the Petitioner.

Mr. Imran Ali,
Mr. M.F.A. Begg

...for the State.

It is submitted on behalf of the petitioner that the husband of the de facto complainant and the petitioner had a partnership business and there were disputes over such issue and he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Allegation of forcible rape in the light of the aforesaid submission may be assessed at the appropriate stage of the proceedings. Possibility of false implication owing to pending disputes cannot be ruled out. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure,

1973 and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.

The application for anticipatory bail is, thus, allowed.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)