

20/10/2020
Item No. 46 D/L
S. De (3)

Through Video Conference

CRM 8070 of 2020

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur P.S. Case No.228 of 2020 dated 20.03.2020 under Sections 417/376/323/354/34 of the Indian Penal Code.

Sk. Saheb Ali @ Saber Ali @ Saheb Ali.

Vs

The State of West Bengal

Mr. Arup Sarkar
Mr. Kaustav Bakshi

...for the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.

...for the State.

The petitioner undertakes to affirm and stamp the petition/application as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

The learned counsel for the petitioner submits that the petitioner is having a love relationship with the victim and he has been falsely implicated.

The learned counsel for the State opposes the prayer.

Having considered the material produced along with the case diary and the statement of victim under Section 164 of the Criminal Procedure Code which prima facie shows a love relationship between the parties, we are inclined to grant anticipatory bail to the petitioner.

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 investigating officer and 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 and he shall not enter the jurisdiction of Harishchandrapur P.S. except for the purpose of meeting the Investigating Officer and for attending Court proceedings as and when required and shall provide the present address of the petitioner to the Investigating Officer

The application for anticipatory bail of the petitioners is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Aniruddha Roy, J.)

(Soumen Sen, J.)