

19.11.2020.

Item No. 51

ap

**C.R.M. 8624 of 2020
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 14.10.2020 in connection with Dhupguri Police Station Case No. 305 of 2020 dated 26.08.2020 under Sections 448/376/323/506/34 of the Indian Penal Code.

And

In the matter of: Suman Barman. ...Petitioner

Ms. Jeenia Rudra. ...For the petitioner

Mr. Aditi Sankar Chattopadhyay.For the State

The petitioner undertakes to affirm and stamp the petition as per Rules within one week of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The petitioner claims that there was a consensual relationship with the de facto complainant and a tall complaint has been lodged upon the petitioner failing to meet the extortionist demands of the complainant.

The State says that the statement of the survivor is completely otherwise. According to the statement, the survivor was followed home by the petitioner on a particular evening and the petitioner forced himself into the survivor's residence and raped her.

The State also refers to an incident between this petitioner's wife and the complainant's wife a few days later.

Considering the circumstances and the nature of the complaint, the custodial interrogation of the petitioner may

not be necessary as long as he cooperates with the investigation.

Subject to the above, in the event of arrest, the petitioner will be enlarged on bail upon 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, 1973.

CRM 8624 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)