

10.11.2020
Sl. No.97
akd
[ALLOWED]

C. R. M. 8737 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Dhupguri Police Station Case No.283 of 2020 dated 10.08.2020 under Sections 457/376/506/34 of the Indian Penal Code.

And

In Re: **Kanak Ray**

... .. Petitioner

Mr. Debajit Kundu.. Advocate

... .. for the petitioner

Mr. Aditi Sankar Chakraborty .. Ld. Addl. Public Prosecutor

Mr. Arun Sarkar .. Advocate

Mr. Aniruddha Biswas .. Advocate

... .. for the State

The petitioner undertakes to appropriately stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner submits that a false case has been made out against him. The alleged victim was well known to him. They had a relationship. However, subsequently due to some reasons they fell out and this false complaint has been lodged.

We have heard learned counsel for the State. Learned counsel submits that custodial interrogation of the petitioner may be necessary in view of the statement under Section 164 of the Code being on record.

Having considered the overall facts and circumstances of the case and the material on record, the immediate custodial interrogation of the petitioner may not be necessary.

Accordingly, in the event of arrest, the petitioner will be enlarged 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. In addition, the petitioner will abide by the conditions in Section 438(2) of the Code.

CRM 8737 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)