

**CRM 8761 of 2020
(Via Video Conference)**

In re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Berhampore P.S. Case No. 985/2020 dated 02.10.2020 under Sections 417/376/325/326/506/34 of the Indian Penal Code.

In the matter of : **Gopal Chandra Das & anr.**

..... petitioners

Mr. Jisan Iqubal Hossain

....For the petitioners

**Mr. Bidyut Kr. Roy
Ms. Rita Datta**

.....For the State

The petitioners claim that a belated petition was filed under Section 156(3) of the Code and the petitioners apprehend that they may be arrested upon completely false allegations being made against them.

The State says that the survivor complained of the second petitioner luring her to sex on the promise to marry her. There are otherwise petty charges of assault.

However, it appears that the sexual act was consensual and there does not appear to be any report of serious injury otherwise.

Considering the circumstances, the petitioners are entitled to bail. The petitioners will not attempt to make any contact with the survivor till the trial is completed.

In the event of arrest, the petitioners will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees ten thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The

petitioners will also comply with the conditions laid down in Section 438(2) of the Code.

CRM 8761 of 2020 is disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)