

11.12.2020.
88.
as
(Allowed).

**C.R.M. 10251 of 2020
(Via Video Conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sagardighi P. S. Case No.579 of 2020 dated 29.11.2020 under Sections 376/417/506 of the Indian Penal Code.

In the matter of : Sadananda Ghosh. ... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. Imran Ali,
Ms. Sema Biswas.

.....for the State.

Heard the learned Advocates appearing for the parties.

We have considered the materials on record. Allegation of forcible rape is to be assessed in the light of the submission that the victim was a major lady at the time of cohabitation and was aware of the consequences of such act.

Under such circumstances, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, viz., Sadananda Ghosh shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

This application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)