

C.R.M. 10555 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhutni P. S. Case No.122 of 2020 dated 02.010.2020 under Sections 342/363/376 of the IPC.

In the matter of : Swapan Mandal

... Petitioner.

Mr. Kalidas Saha

...for the Petitioners.

Mr. N. P. Agarwal

Ms. Subhasree Patel

.....for the State.

There was an inordinate delay in lodging the First Information Report.

Learned Lawyer for the State opposes the prayer for anticipatory bail.

Allegation of forcible rape may be considered in the light of submission that there was an inordinate delay in lodging the First Information Report. In view of the aforesaid facts, we are of the opinion that custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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.

The application for anticipatory bail is, accordingly, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J)

