

15.01.2020

Sl. No.54

akd

[ALLOWED]

C. R. M. 510 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 13.01.2020 in connection with Jaigaon Police Station Case No. 247 of 2019 dated 17.11.2019 under Sections 417/376 of the Indian Penal Code. (G.R. Case No.2325 of 2019)

And

In Re: ***Subham Pradhan***

... .. Petitioner

Mr. Hillol Saha Podder .. Advocate

... .. for the petitioner

Mr. Narayan Prasad Agarwala .. Advocate

Mr. Debabrata Dasgupta .. Advocate

... .. for the State

Heard the learned advocate appearing for both the parties.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that the victim was a major lady at the time of cohabitation and was aware of the consequences thereof, we are of the opinion that custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Subham Pradhan***, 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that he shall meet the

Investigating Officer once in a week until further orders and shall appear before the court below and pray for regular bail within four weeks from date.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)