

70 11.02.2020
rkd Ct. No.28
(Allowed)

C.R.M. 1458 of 2020

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **07/02/2020** in connection with **Bhaktinagar** P.S. Case No. **959 of 2019** dated **10/12/2019** under Section **376/417** of the Indian Penal Code.

And

In the matter of: Manotosh Das

....petitioner.

Ms. S. Chatterjee,
Ms. S. Biswas

...for the petitioner.

Ms. S. Bhar

...for the State.

Having considered the materials in the case diary and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner that the victim was a major lady at the time of cohabitation and was aware of the consequences arising therefrom, we are inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. Petitioner shall meet the Investigating Officer once in a week until further orders and hand over his passport, if any, within fortnight from date. In the event he does not have a passport, he shall personally appear before the Investigating Officer and furnish an affidavit to that effect within the time frame mentioned hereinabove.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)