

04.08.2020

BP/BR
Sl.15

CRM 5135 of 2020
With
CRAN 3419 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dhupguri Police Station Case No. 175 of 2020 dated 22.05.2020 under Sections 341/323/417/376/506/34 of the Indian Penal Code.

In the matter of : Ananta Barman....petitioner

Mr. Kalipada Das
..for the petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Tapan Bhattacharya
..for the State.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Learned advocate appearing for the petitioner submits that the purported victim has made allegation that she came to know the petitioner through face book. Thereafter, she went to different places with the petitioner and every time the petitioner

ravished her against her will.

Learned counsel appearing on behalf of the State opposes the prayer for bail.

Considering the nature of allegations and the fact that whether the ingredients of the offence alleged are actually made out in this particular case is a matter of trial, we do not think that this is a case where the custodial interrogation of the petitioner would be required. Therefore, we allow the prayer for anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs. 5,000/- (Rupees Five Thousand only) with one surety, to the satisfaction of the arresting officer and subject to the condition that the petitioner shall cooperate with investigation and to meet the Investigating Officer as and when required.

The application for anticipatory bail being C.R.M. 5135 of 2020 and C.R.A.N. 3419 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Jay Sengupta, J.)

