

CRM No.19 of 2021

20.01.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with Muchipara Police
Sl.202 Station Case No.182 of 2020 dated 18.09.2020 under Sections
Ct.28 376/417 of the Indian Penal Code;

And

In re: Ratnadeep Dutta

... petitioner.

Mr. Soumya Basu Roy Chowdhuri

... for the petitioner.

Smt. S. Das

...for the State.

The learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. The *de facto* complainant is a married lady.

By an order dated 11th January, 2021, we called for a report from the investigating officer of G.R. Case No.4776 of 2018 pending before the Learned Chief Judicial Magistrate, Malda. Pursuant to the said order, the investigating officer has filed a report. Let the same be kept on record.

From the said report, it appears that the said G.R. case was initiated on the basis of a complaint lodged by the *de facto* complainant herein, namely, Sunita Kundu under Sections 498A/325/326B/34 of the Indian Penal Code. As such, it appears that the *de facto* complainant is a married lady.

In the said conspectus, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Ratnadeep Dutta**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, 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.

Accordingly, the application for anticipatory bail being CRM No.19 of 2021, is allowed.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)