

18.08.2021
Item no. 29
Court No.32.
S.De
(Allowed)

(Via Video Conference)

CRM No. 1794 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 11.02.2021 in connection with Narendrapur Police Station Case No. 883 of 2020 dated 21.09.2020 under Sections 376/417 of the Indian Penal Code.

And

In the matter of : Parikshit Chaudhury.

.....Petitioner.

Mr. Ayan Bhattacharyya, Advocate,
Mr. Sagnik Mukherjee, Advocate,
.....for the Petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Mr. Bidyut Kr. Roy, Advocate,
Mr. C.R. Ghosh, Advocate,
.....for the State.

The State says that the petitioner meted out false promise of marrying the victim lady who is the complainant. Based on such promise, they had physical relationship. Then the petitioner backed out.

The petitioner says that he is a married person whose divorce proceeding is pending. The victim was his employee. The petitioner had arranged for the victim's accommodation in a

different flat. When the petitioner asked the victim to vacate the flat, the present false complaint has been lodged.

We have seen the material in the case diary including statement of the victim recorded under Section 164 of the Code of Criminal Procedure. The victim is 24 years old. The petitioner is 30 years old. There is nothing in the case diary which immediately warrants custodial interrogation of the petitioner. We are inclined to allow the petitioner's prayer.

Accordingly, 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, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 1794 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)

