

43.
18-08-2021
(ct. no.32)
KOLE
Allowed

(Via Video Conference)

CRM 2697 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raniganj Police Station** Case No. **19 of 2021** dated **14.01.2021** under Sections **376/417** of the Indian Penal Code.

- A n d -

In the matter of : Kuldeep Kumar Singh @ Kuldeep Kumar
.... Petitioner.

Mr. Minoti Gomes,
Mr. A. K. Datta,

... For the Petitioner.

Mr. Sukanya Bhattacharyya,
Mr. Md. Kutubuddin,

... For the State.

Mr. B. Banerjee,

... for the defacto complainant.

Supplementary affidavit filed on behalf of the defacto complainant be kept on record.

The charge against the petitioner is under Sections 376/417 of the Indian Penal Code.

Learned Advocate representing the defacto complainant files an affidavit affirmed by the complainant to the effect that she does not wish to press the charge against the petitioner. It appears that there was and is an amorous intrigue between the petitioner and the defacto complainant.

In view of the aforesaid and on an overall assessment of the material on record, we are of the view that the petitioner's prayer for anticipatory bail may be allowed.

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 the event the petitioner fails to adhere to any of the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 2697 of 2021 is, thus, allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)