

CRM 2703 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khardaha Police Station** Case No. **68 of 2021** dated **29.01.2021** under Sections **376/417** of the Indian Penal Code.

- A n d -

In the matter of : Sri Chandan Jana @ Chiranjit Patra & Anr.
.... Petitioners.

Mr. D. Chatterjee,
Mr. A. Nayek,

... For the Petitioners.

Mr. B. Kr. Roy,
Mr. R. Datta,

... For the State.

The petitioners are relatives/friends of the main accused, one Somu Patra. The allegations against Somu is of establishing physical relationship with the victim by promising to marry her which promise Somu went back on ultimately. The allegation against the present petitioners appears to be that they misinformed the defacto complainant that Somu Patra has died. The lady subsequently found out that this was a wrong information and was deliberately given to shield Somu Patra.

We have seen the material in the case diary including the statement of the victim lady who is a widow and about 35 years old. There is no specific allegation against the present petitioners.

On an overall assessment of the material in the case diary and the nature and gravity of the allegations against the petitioners, we are of the view that immediate custodial

interrogation of the petitioners may not be necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely, **Sri Chandan Jana @ Chiranjit Patra and Sri Indrajit Patra** shall be released on bail upon furnishing a bond of Rs. 10,000/- each, 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 petitioners fail 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 2703 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.

(**Bivas Pattanayak, J.**)

(**Arijit Banerjee, J.**)