

09.06.2021
Court No.28
SL No.67
PJ/KC

CRM 3196 of 2021
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hura** P.S. Case No. **16/2021** dated **18.2.2021** under Sections **417/376 of the Indian Penal Code;**

And

In the matter of: **Apurba Tudu,**

....Petitioner.

Mr. Sujan Chatterjee,

...for the Petitioner.

Mr. Rana Mukherjee,
Mr. Sandip Chakraborty,

...for the State.

This application for anticipatory bail has been filed apprehending arrest in connection with G.R. Case No. 212 of 2021 arising out of Hura P.S. Case No. 16/2021 dated 18.2.2021 under Sections 417/376 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner and the de facto complainant were in love with each other since 2019. Both are majors. According to the complainant, the petitioner induced her into physical relations on the false promise of marriage. The issue can only be decided in course of trial.

Be that as it may, this Court is of the view that the application for anticipatory bail should be entertained and is hereby allowed.

Accordingly, in the event of arrest the petitioner shall be released on bail subject to satisfaction of conditions under Section 438(2) of Cr.P.C., 1973 and upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the **IO**, subject to condition that the

petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner shall not enter the jurisdiction of the **PS** except for the purposes of investigation and attending Court proceedings and shall provide the addresses where he will reside while on bail to the Investigating Officer as well as the Court below and shall report to the Officer-in-Charge of the concerned Police Station within whose jurisdiction he will reside once in a week until further orders. The petitioner shall surrender his passport to the IO and if he does not possess passport shall submit affidavit to that effect before the IO.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for anticipatory bail is, thus, disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)