

98 08.06.2021  
S.K/ Ct. No.28  
S.M (Allowed)

**C.R.M. 3337 of 2021**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **12/04/2021** in connection with **Dankuni** P.S. Case No. **65 of 2021** dated **01/03/2021** under Sections 342/376(C)/323/325/504/506 of the Indian Penal Code.

And

In the matter of: Bile Roy @ Belay Roy

....petitioner.

Mr. Ayan Bhattacharjee,  
Mr. Kausik De,  
Ms. Mohini Majumdar

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,  
Ms. Faria Hossain,  
Ms. Sonali Das

...for the State.

The application for anticipatory bail under Section 438 CrPC has been filed apprehending arrest in connection with Dankuni P.S. Case No. 65 of 2021 dated 01.03.2021 under Sections 342/376(C)/323/325/504/506 of the Indian Penal Code, 1860 now pending before the learned Additional Chief Judicial Magistrate, Serampore, Hooghly.

It is submitted by the counsel for the petitioner that his client shall always cooperate with the investigation.

Counsel for the State submits that custodial interrogation of the petitioner is not required at this stage.

Under those circumstances, this Court is of the view that the petitioner is entitled to grant pre-arrest bail.

Accordingly, in the event of arrest, the petitioner shall be released on bail subject to satisfaction of conditions under Section 438 (2) of CrPC, 1973 and upon furnishing 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 Investigating Officer, 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 police station except for the purpose of investigation and attending Court proceedings and shall provide the address where he shall 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 shall reside once in a week until further orders. The petitioner shall surrender his passport to the I.O. and if he does not possess a passport shall submit an affidavit to that effect before the I.O.

In the event of arrest 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.)**