

07.10.2021

28

Ct. No. 29

KAUSHIK

Allowed

C.R.M. 3587 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **277** of **2021** dated **06.04.2021** under Sections 363/365/368/34 of the Indian Penal Code, 1860.

And

In Re : Atanu Metya & Anr.

..... petitioners

Mr. Amal Krishna Samanta

.....for the petitioners

Mr. Binoy Kumar Panda

Ms. Puspita Saha

Mr. Subham Bhakat

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioner submits that, there is a love affair between the petitioner and the de-facto complainant.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr. P. C.). He submits that, the police submitted charge-sheet.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the fact that the victim refused medical test and considering the fact that the

police submitted charge-sheet, we grant anticipatory bail to the petitioner No. 1 (Atanu Metya).

Learned advocate appearing for the petitioner submits that, the application be treated as not pressed in respect of petitioner no. 2 (Arjun Metya). In such circumstances, the petition is dismissed as not pressed for the petitioner no. 2.

Accordingly, we direct that in the event of arrest the petitioner No. 1 (Atanu Metya) shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)