

10. 13.09.2021

Ct.32

Tanmoy

Allowed

C.R.M. 3999 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **09/06/2021** in connection with **Kharagpur (Town) Police Station Case No. 57/2021** dated **01/02/2021** under Sections **420/406/468/506/34** of the Indian Penal Code.

And

In the matter of: - **Rampada Das**

...petitioner.

Mr. Soumyajit Das Mahapatra,
Mr. Soumya Nag

...for the petitioner.

Mr. Saibal Bapuli, Ld. A.P.P,
Mr. Arijit Ganguly,
Mr. Sanjib Kukar Dan

...for the State.

The petitioner says that the instant complaint is completely false and prompted by the refusal of the petitioner to marry the victim/*de facto* complainant. The petitioner had an affair with the *de facto* complainant who extracted various sums of money from the petitioner from time to time.

We have seen the material in the Case Diary including the statement of the victim recorded under Section 161 of the Code of Criminal Procedure. It is not in dispute that the victim got married to somebody else in 2019 and the instant complaint was lodged highly belatedly on February 1, 2021.

On an overall assessment of the material on record and the facts and circumstances of the case, although charge-sheet has not yet been submitted, we are of the view that immediate

custodial interrogation of the petitioner may not be necessary so long as he co-operates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, *viz.*, **Rampada Das** 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.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. 3999 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)