

13.12..2021
tkm/ct 28
sl no. 77

C.R.M. 4674 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sankrail P.S Case no. 67 of 2021 dated 14.1.2021 under sections 417/376/448/325/406/420/506/34 of the IPC

And

Allowed

In Re : Motiur Rahaman petitioner

Dr. Chapalesh Bandyopdhyay
Ms. A Bandyopadhyay

..... for the petitioner

Mr. Binay Panda
Mr. S Bhakat

..... for the State

It is submitted on behalf of the petitioner that he is not the principal accused. Victim was a major lady and there was consensual cohabitation with the principal accused.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered materials on record including the statement of the victim lady recorded under section 164 Cr.P.C. There is delay in lodging FIR.

Keeping in mind the aforesaid facts and the extent of complicity of the petitioner in the alleged crime, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount, 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.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 4674 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)