

06.09.2021
tkm/ct 29
sl no. 35

C.R.M. 5675 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tala P.S Case no. 12 of 2021 dated 3.4.2021 under sections 354B/323/114/376/506/511 of the IPC

And

Allowed

In Re : Debayan Datta

..... petitioner

Mr Avik Ghatak
Mr. S K Dasgupta

..... for the petitioner

Mr. T K Ghosh
Mr. Arindam Sen

..... for the State

Petitioner seeks anticipatory bail.

Learned advocate for the petitioner submits that the de facto complainant is the wife of the petitioner. The de facto complainant filed similar complaints against the petitioner on two earlier occasions. On the first occasion, the petitioner was granted bail and on second occasion, petitioner was granted anticipatory bail.

Learned advocate for the State opposes the prayer for anticipatory bail and draws attention of this Court to the statement of the victim recorded under section 164 Cr.P.C. as well as to the injury report.

Considering the relationship between the petitioner and the de facto complainant, and considering the nature of injury and the statement of the victim recorded under section 164 Cr.P.C, 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 each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner while on bail, shall meet the investing officer once in a week until further orders. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 5675 of 2021 is disposed of.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)