

22.09.2021

Sr. no. 32

Aloke

Ct. 29

(Through Video Conference)

CRM 5978 of 2021

In re: An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 02.09.2021 in connection with Burdwan Police Station Case No. 215 of 2021 dated 25.03.2021 under Sections 417/420/376 of the Indian Penal Code.

-And-

In the matter of : **Sri Mohit Garg**

...Petitioner

Mr. Sekhar Basu, Sr. Advocate

Mr. Rajib Basu, Advocate

Mr. Pradeep Kr. Tarafdar, Advocate

... ... for the Petitioner

Mr. Tapan Deb Nandy, Advocate

Mr. Rudradipta Nandy, Advocate

Mr. Antariksha Basu, Advocate

... ...for the State

Mr. Debasish Roy, Advocate

Mr. Avik Ghatak, Advocate

Mr. Soham De Dhara, Advocate

... ... for the de facto complainant

Petitioner seeks anticipatory bail.

Learned Senior Advocate appearing for the petitioner submits that a love relationship between the petitioner and the de facto complainant went sour resulting in false implication of the petitioner in the police case.

State and the de facto complainant are represented.

Learned Advocate appearing for the de facto complainant draws the attention of the Court to the fact that the petitioner threatened the de facto complainant with dire consequences including uploading of objectionable material in the social media in the event the de facto complainant did not withdraw the complaint.

Learned Advocate appearing for the State relying upon a written instruction, submits that the complaint of the de facto complainant with regard to such threat made by the petitioner is under enquiry after the same being noted in the diary.

Considering the facts and circumstances of the case and considering the materials available in the case diary, 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 anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that petitioner shall appear before the Court below and pray for regular bail within four weeks from date and subject to the result of the enquiry conducted in respect of the Burdwan PS GDE No. 2375 dated 21.08.2021.

The prayer for anticipatory bail is, thus, allowed.

CRM 5978 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)