

10.11.2021
Serial no. 42
Aloke
Ct. No. 29

(Through Video Conference)

CRM 6512 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 21.09.2021 in connection with Tamluk P.S. Case No. 513 of 2021 dated 28.06.2021 under Sections 354/354A/384/506/34 of the Indian Penal Code and added Section 376 of the Indian Penal Code.

-And-

In the matter of: Abhijit Maity

... Petitioner

Mr. Amitava Karmakar, Advocate
Mr. Arup Kr. Bhowmick, Advocate
... .. For the Petitioner
Mr. Bidyut Kr. Ray, Advocate
Ms. Sima Biswas, Advocate
... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that although the de facto complainant did not allege anything with regard to Section 376 of the Indian Penal Code in the first information report, she recorded a statement under Section 164 of the Criminal Procedure Code where such allegations were made for the first time. He submits that the petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the contents of the statement recorded under Section 164 of the Criminal Procedure Code.

Considering the statement recorded under Section 164 of the Criminal Procedure Code of the de facto complainant and considering the medical report, 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 further condition that the

petitioner shall report before the investigating officer once in a month.

The prayer for anticipatory bail is allowed.

CRM 6512 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)