

16.12.2021
Sl. No.119
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[ALLOWED]

C. R. M. 6716 of 2021

[via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 28.09.2021 in connection with Moyna Police Station Case No. 217 of 2021 dated 11.08.2021 under Sections 363/365/34 of the Indian Penal Code but charge sheet being number 184/2021 dated 31.08.2021 was submitted under Sections 363/365/366 of the Indian Penal Code.

And

In Re: ***Prasenjit Das***

... .. Petitioner

Mr. Suman De

... .. for the petitioner

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

... .. for the State

It is submitted on behalf of the petitioner that there is a love affair between the parties and he has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Allegation of forceful abduction requires to be assessed, in the light of the aforesaid submission, during trial. Under such circumstances, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner be released on 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 also subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure, 1973 and shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)