

42 15.11.2021
(AD)
Court No.29
(Allowed)

**C.R.M. 7269 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 09.11.2021 in connection with **Titagarh** P.S. Case No. **769 of 2021** dated **22/10/2021** under Sections **417/376(2)(n)/323/354B/506/34** of the Indian Penal Code.

And

In the matter of: Sanjay Balmiki @ Sanjay Kumar Balmiki
....petitioner.

Mr. Subhajit Chowdhury
Mr. Debasis Kar

...for the petitioner.

Mr. Sujan Chatterjee

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police complaint is a result of a relationship going sour.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure of the de facto complainant. He submits that the de facto complainant refused to undergo any medical test.

Considering the nature of the allegation against the petitioner and considering the statement recorded under Section 164 of the Code of Criminal Procedure and considering the fact that the de facto complainant refused to undergo medical test, we 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 he shall meet the Investigating Officer once a month until further orders and that he shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 7269 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)