

29.11.2021  
Court No.32  
Item No. 02  
Krishnendu  
Allowed

**C.R.M. 7378 of 2021  
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the  
Code of Criminal Procedure ;

And

In re: **Partha Pratim Roy**

Petitioner

Mr. Biswajit Tiwari

For the Petitioner

Mr. Debabrata Chatterjee

Mrs. Sonali Das

For the State

Apprehending arrest in connection with Manikchak Police Station  
Case No. 294 of 2021 dated 10.08.2021 under Sections 417/376/506  
of the Indian Penal Code, the present application has been preferred.

Mr. Tiwari, learned advocate appearing for the petitioner submits  
that the petitioner has been falsely implicated. The complainant is a  
married lady, aged about 31 years. The allegations levelled are  
absolutely unfounded and in view thereof, custodial interrogation of the  
petitioner is not necessary.

Mrs. Das, learned advocate appearing for the State opposes the  
petitioner's prayer and draws our attention to several documents in the  
case diary, including the statement of the victim lady, as recorded  
under section 164 of the Code of Criminal Procedure.

Having heard the learned advocates appearing for the respective  
parties and considering the materials in the case diary, the nature of  
allegations, the statement of the victim lady, as recorded under section

164 of the Code of Criminal Procedure and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, in the event of arrest the petitioner, namely, **Partha Pratim Roy**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and with a further direction that the petitioner would co-operate with the investigation and meet with the Investigating Officer, as and when called for.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 7378 of 2021, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Sugato Majumdar, J)**

**(Tapabrata Chakraborty, J)**