

03.12.2021
Serial no.29

Aloke
Ct. No. 29

(Through Video Conference)

CRM 7956 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 25.11.2021 in connection with Tehatta Police Station Case No. 606 of 2021 dated 13.11.2021 under Sections 417/376 of the Indian Penal Code.

-And-

In the matter of : **Bishnu Mondal**

... ...Petitioner

Mr. Koustav Bagchi, Advocate

Mr. Amanul Islam, Advocate

Mr. Sourav Mukherjee, Advocate

... ... For the Petitioner

Mr. Tanmoy Kr. Ghosh, Advocate

Ms. Sonali Bhar, Advocate

... ... For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

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. She submits that the victim refused medical examination.

Considering the fact that the victim acknowledged a relationship between her and the petitioner in her statements recorded under Section 164 of the Criminal Procedure Code and considering the fact that the victim refused to undergo medical examination, 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 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 the petitioner shall meet the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioner shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.
CRM 7956 of 2021 is disposed of.

(Debangsu Basak, J.)

(Krishna Rao, J.)