

(Through Video Conference)

CRM 7974 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 Kalyani Police Station Case No. 202 of 2021 dated 16.09.2021 under Sections 498A/376/511/34 of the Indian Penal Code.

-And-

In the matter of : **Suvankar Barui**

... ...Petitioner

Mr. Tapan Datta Gupta, Advocate

Mr. Parvej Anam, Advocate

... ... For the Petitioner

Mr. S.S. Imam, Advocate

Mr. Arabinda Manna, Advocate

... ... For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the de facto complainant is in the habit of filing false criminal complaints against the petitioner. All other accused in the present case are on bail.

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. In answer to the query of the Court, he submits that the victim refused to undergo medical examination.

Considering the nature of the offences, the complicity of the petitioner therein 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 with a further 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 7974 of 2021 is disposed of.

(Debangsu Basak, J.)

(Krishna Rao, J.)