

17.12.2021.
95.
as
(Allowed).

C.R.M. 8145 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta P. S. Case No.591 of 2021 dated 09.11.2021 under Sections 417/376 of the Indian Penal Code.

In the matter of : Dode Biswas.

... Petitioner.

Mr. Amanul Islam,
Mr. Sourav Mukherjee.

...for the Petitioner.

Mr. Bidyut Kr. Roy,
Ms. Sima Biswas.

.....for the State.

Heard the learned Advocates appearing for the parties.

Petitioner contends that the victim was a major lady at the time of cohabitation.

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

We have considered the materials on record and keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner that the victim was a major lady at the time of cohabitation and was aware of the consequences thereof, 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/- 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 further condition that the petitioner shall appear before the trial court and pray for regular bail within a period of four weeks from date.

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

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)