

25.02.2021
Court No.28
rpan /13
(Via Video Conference)

C.R.M. 8275 of 2020

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

And

In Re : **Bubai Singh**

....Petitioner.

Mr. Soumyajit Das Mahapatra,

Mr. Somnath Adhikary

....for the Petitioner.

Mr. Prasun Kumar Datta,

Mr. Nirupam Dhali

... for the State.

Apprehending arrest in connection with Berhampore P. S.
Case No.929 of 2020 dated 17.09.2020 under Sections
448/376/379/506 of the Indian Penal Code, the petitioner has
filed the present application.

The learned advocate appearing for the petitioner submits
that the *de facto* complainant is a married lady and the
petitioner has been falsely implicated on the basis of a
complaint, which was directed to be treated as FIR on an
application under Section 156(3) of the Code of Criminal
Procedure, which was preferred about a month after the alleged
incident. Upon completion of investigation charge sheet has also
been submitted and as such, custodial interrogation of the
petitioner is not necessary.

The learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Having heard the learned advocates and considering the nature of allegations 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. As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, in the event of arrest the petitioner, viz. **Bubai Singh**, 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 and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and a further condition that the petitioner shall meet with the Officer-in-charge of the Berhampore Police Station once in a week on and from 1st March, 2021 until further orders.

The application for anticipatory bail, being CRM 8275 of 2020, is, thus, disposed of.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)