

25.03.2021

CRM 11096 of 2020

Court No.02
Item No.152
(ALLOWED)

akd

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 22.12.2020 in connection with Serampore Police Station Case No. 351 of 2020, dated 04.11.2020 under Sections 417/376/406/120B of the Indian Penal Code (G. R. Case no. 1615 of 2020).

And

In the matter of : **Rohon Shil.**

...Petitioner

**Mr. Sudip Ghosh Chowdhury,
Mr. Argha Das,
Mr. Abhishek Bose.**

...For the Petitioner

**Ms. Sukanya Bhattacharyya,
Mr. Mirza Firoj Ahmed Begg.**

...For the State.

Apprehending arrest in connection with Serampore Police Station Case No. 351 of 2020 under Sections 417/376/406/120B of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

It is submitted by the learned Advocate appearing for the petitioner that there was a love affair between the de facto complainant and the petitioner at one point of time, but subsequently it broke and the present case has been lodged out of the vengeance.

On the other hand, the learned Advocate for the State opposes the prayer for anticipatory bail. It is submitted that the lady has levelled an allegation against the petitioner for extortion of money from her and her modesty has been outraged, which would be evident from the statement recorded under Section 164 of the Code of Criminal Procedure.

After hearing the submissions so advanced by the respective parties and perusing the materials available in the case diary, more particularly the statement of the victim lady recorded under Section 164 of the Code of Criminal Procedure, we do not think that the custodial interrogation of the petitioner is required. Accordingly, we are inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner, *Rohon Shil*, shall be

released on bail on furnishing a bond of Rs.10,000/- with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer of the concerned police station subject to the condition that the petitioner shall meet the Investigating Officer once in a week until the filing of charge sheet and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail, being CRM 11096 of 2020, is thus **allowed**.

(Harish Tandon, J)

(Abhijit Gangopadhyay, J.)