

**19.03.2021**

Item no. 103

Ct.04

PG

**C.R.M. No.11187 of 2020**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Raghunathganj Police Station Case No. 132 of 2020 dated 24.02.2020 under Sections 417/376/120B/506 of the Indian Penal Code.

And

In the matter of:- Rahul Sk.....petitioner

Mr. Tapodip Gupta.....for the petitioner

Mr. Anwar Hossain

Ms. Ratna Ghosh ..for the State

The present application under section 438 of the Code of Criminal Procedure filed at the instance of Rahul Sk. is taken up for hearing and order.

It is submitted on behalf of the petitioner that petitioner had love affair with the defacto complainant, who is aged about 21 years.

The State produces the case diary and refers to the statement of the defacto complainant under section 164 of the Code of Criminal Procedure.

It appears that the defacto complainant is a lady aged about 21 years and she has stated in her statement recorded under section 164 of the Code of Criminal Procedure that she had a love affair with the petitioner. She being a major, was aware of the

consequences of her act all throughout. In such circumstances, 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 anticipatory bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand) only with two sureties of like amount to the satisfaction of the arresting officer and also subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, accordingly, allowed.

C.R.M. 11187 of 2020 is disposed of.

**(Arindam Sinha, J.)**

**(Suvra Ghosh, J.)**