

30.11.2021

Item No.17

Ct.No.1

dc./gsd

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

C.R.M. 937 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Matigara PS Case No. 150 of 2021 dated 2.3.2021 under Sections 417/376 of the Indian Penal Code.

And

In the matter of : **Karan Malik @ Mallick**

... Petitioner.

Ms. Jeenia Rudra

... for the petitioner

Mr. A. S. Chakraborty

Ms. Namrata Das

... For the State.

The petitioner is represented by Ms. Rudra, Learned Counsel.

The State is represented along with the Case Diary.

Heard the parties.

Perused the materials placed in the case diary.

Having regard to the genesis and the background of the relationship between the petitioner and the accused as well as the lodging of the complaint as a consequence of the break up in the relationship, this Court is of the view that the custodial detention of the petitioner may not be warranted in the present facts of the case.

Accordingly, we **allow** the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely **Karan Malik @ Mallick** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 on further condition that the petitioner shall meet with the Inspector-in-Charge of the concerned Police Station once in a week.

The application for anticipatory bail, being CRM 937 of 2021 is disposed of.

All parties shall act on the server copy of this order, duly obtained from the official website of the Hon'ble High Court Calcutta.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)