

22.12.2021
Court No.01
Item No. 25

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

sg

**CRM 1136 of 2021
CRAN 1 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Alipurduar Women Police Station Case No. 26 of 2019 dated 25.04.2019 under Sections 448/323/376/506 of the Indian Penal Code.

And

In Re: **Krishna Roy @ Gadai Roy**

Petitioner

Mr. Arnab Saha

For the Petitioner

Mr. Sudhindra Das
Mr. Kumar Shantanu

For the de-facto complainant

Mr. Abhijit Sarkar
Ms. Namrata Das

For the State

The application for anticipatory bail along with the application filed by the de-facto complainant/victim is taken up for consideration.

The learned Counsel for the de-facto complainant has filed an application stating that the de-facto complainant/victim has no grievance against the petitioner.

The learned Counsel for the State, however, submits that the de-facto complainant/victim in her statement recorded under Section 164 of the Code of Criminal Procedure directly implicated the petitioner.

Having considered the materials on record more particularly the statement made by the de-facto complainant/victim in her application, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Krishna Roy @ Gadai Roy**, 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail of the petitioner is allowed. CRM 1136 of 2021 and CRAN 1 of 2021 are accordingly, disposed of.

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

(Biswajit Basu, J)

(Soumen Sen, J)