

28.01.2022
Serial no.41

Aloke
Ct. No. 29

(Through Video Conference)

CRM (A) 398 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 24.01.2022 in connection with Murshidabad Police Station Case No. 30 of 2022 dated 19.01.2022 under Sections 417/376B of the Indian Penal Code.

-And-

In the matter of : **Srikanta Sarkar**

... ..Petitioner

Mr. Debasis Kar, Advocate
Mr. Husen Mustafi, Advocate

... .. For the Petitioner

Mr. Goutam Wilson, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the complaint was lodged subsequent to a decree for divorce being granted. The petitioner was falsely implicated.

Learned Advocate appearing for the State draws the attention to the statement recorded under Section 164 of the Code of Criminal Procedure.

Considering the fact that there is a decree for divorce subsisting and considering the statement recorded under Section 164 of the Code of Criminal Procedure, 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 bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 report before the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioner shall appear before the

Court below and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM (A) 398 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)