

03.02.2022
Serial no. 08
Dd

CRM (A) 399 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Baguiati** Police Station Case No. **621** of **2021** dated **17th Day of December, 2021** under Sections **417/376/506/34** of the Indian Penal Code.

-And-

In the matter of : **Raju Ghosh**

... **Petitioner**

Mr. Kaustav Bagchi,
Mr. Debayan Ghosh, Advocates
... ... For the Petitioner

Mr. Abhra Mukherjee,
Mr. Gautam Banejee, Advocates
... ...For the State

Mr. Aniruddha Bhattacharya,
Mr. Sourav Mukherjee, advocates
... For the de facto complainant

Petitioner seeks anticipatory bail

Learned advocate appearing for the petitioner submits that there was a love relationship between the petitioner and the de facto complainant. The petitioner was falsely implicated.

Learned advocate appearing for the State in reply to a query of the Court submits that the de facto complainant did not record a statement under Section 164 of the Criminal Procedure Code. The de facto complainant also did not undergo any medical test.

De facto complainant is represented.

Considering the gravity of the offence, the involvement of the petitioner therein and considering the fact

that the de facto complainant is yet to record a statements under Section 164 of the Code of Criminal Procedure and did not undertake the medical examination, 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 also be 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 appear before the Court below and pray for regular bail within a period of four weeks from and on further condition that the petitioner shall meet the Investigating Officer once in a month till completion of investigation.

Prayer for anticipatory bail is **allowed**.

This application for anticipatory bail is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)