

15.02.2022
Sl. 17
Court No.29
sourav
(Allowed)

**C.R.M. (A) 736 of 2022
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **09.02.2022** in connection with **Tehatta** P. S. Case No. **673** of **2021** dated **13.12.2021** under Section **376/511/447** of the Indian Penal Code.

And

In the matter of: **Samad Sk**

....petitioner.

Mr. Koustav Bagchi
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Debayan Ghosh

...for the petitioner.

Ms. Sujata Das

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The petitioner lodged police complaint against the family of the defacto complainant prior in point of time.

Learned advocate appearing for State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code. She submits that the victim did not undergo any medical tests.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that there is a prior police complaint filed by the petitioner, we 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/- with two sureties of like amount each 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 and on further condition that the petitioner shall appear before the Investigating Officer once a month till the conclusion of the investigation and that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 736 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

