

23.02.2022
Sl. 10
Court No.29
sourav
(Allowed)

C.R.M. (A) 889 of 2022
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **17.02.2022** in connection with **Chanchal** P. S. Case No. **130** of **2022** dated **09.02.2022** under Sections **417/376** of the Indian Penal Code.
And

In the matter of: **Rajesh Ali**

....petitioner.

Mr. Kaustav Bagchi
Mr. Arup Sarkar
Mr. Debayan Ghosh

...for the petitioner.

Mr. Saswata Gopal Mukherji
Mr. Partha Pratim Das
Mrs. Manasi Roy

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that there was a delay in lodging the complaint. A police case arose because the petitioner and the defacto complainant were allegedly seen in a compromising position by the villagers. He submits that both the petitioner and the victim are adults.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statement of the victim recorded under Section 164 of the Criminal Procedure Code.

Considering the statement recorded under Section 164 of the Criminal Procedure Code of the victim and considering the complicity of the petitioner in the incident, 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 meet 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) 889 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

