

CRM (A) 1178 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 08.03.2022 in connection with Bamangola Police Station Case No. 66 of 2022 dated 04.03.2022 under Sections 323/376/417/34 of the of the Indian Penal Code.

-And-

In the matter of : **Taposh Shil @ Tapas Shil**

... ...Petitioner

Ms. Minoti Gomes, Advocate

Mr. Kalidas Saha, Advocate

... ... For the Petitioner

Mr. Iqbal Kabir, Advocate

... ... For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is a Boarder Security personnel.

There was a relationship between the petitioner and the de facto complainant. Upon the marriage proposal failing, the police complaint was lodged.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the material in the case diary.

Considering the age of the de facto complainant and considering the statement recorded under Section 164 of the Code of Criminal Procedure where she admits that there was a relationship of at least two years and considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the petitioner is a BSF personnel, 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 condition that the petitioner shall appear 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 prayer for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM (A) 1178 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)