

10 15.03.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A)1221 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagarpara** P.S. Case No. **223 of 2021** dated **19/12/2021** under Sections **417/376/506** of the Indian Penal Code.

And

In the matter of: Amit Mondal

....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Mr. Narayan Prasad Agarwala
Ms. Subhasree Patel

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that a previous relationship went sour resulting in the police complaint. The police submitted charge sheet. Therefore, custodial interrogation of the petitioner is not required.

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

Considering the fact that in her statement recorded under Section 164 of the Code of Criminal Procedure, the victim acknowledges existence of the previous relationship and considering the gravity of the offence and the involvement of the

petitioner therein and considering the fact that police submitted charge sheet, 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/- (Rupees Ten Thousand Only) 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 jurisdictional Court and pray for regular bail within four weeks from date and on further condition that the petitioner shall appear before the Court below on every date fixed for hearing.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M.(A) 1221 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)