

06.05.2022

Sl. 11
Court No.29
suvayan
(Allowed)

CRM (A) 2061 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** P.S. Case No. **162 of 2022** dated **12/04/2022** under Sections **417/376** of the Indian Penal Code.

And

In the matter of: Pankaj Choudhury

....petitioner.

Mr. Kalidas Saha

...for the petitioner.

Mr. Bidyut Kr. Roy
Ms. Kumkum Mitra

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police complaint is a result of a relationship on his behalf.

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

Considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code where she acknowledges that the petitioner and the victim were in a relationship and considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, 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 subject to the conditions as laid down under Section 438(2) of

the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

CRM (A) 2061 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Kausik Chanda, J.)