

10.05.2022
Serial no. 32
[Dd]
(Anticipatory bail
Allowed)

CRM (A) 2100 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tollygunge** Police Station Case No. **33** of **2022** dated **04.03.2022** under Sections **323/506/376/417** of the Indian Penal Code.

-And-

In the matter of : **Krishno Ganguly @ Kesto @ Krishna Ganguly**
... .. Petitioner

Mr. Milon Mukherjee, Id. Sr. Adv.
Md. Sabir Ahmmed,
Mr. Sanat Kr. Das,
Mr. Anirban Guhathakurta,
Mr. Sujan Chatterjee, Advocates
... .. *For the Petitioner*

Mr. Binoy Panda,
Mr. Subham Bhakat,s Advocates
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned senior advocate appearing for the petitioner submits that the petitioner was falsely implicated.

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 and to the injury report of the victim.

The incident alleged is of 2019. The victim recorded a statement under Section 164 of the Criminal Procedure Code in March, 2022 in respect of the present police complaint. There is an injury report of the victim which is of March 20, 2022 also.

Considering the nature of the allegation against the petitioner and considering the age of the victim and

considering the gravity of the offence and the involvement of the petitioner therein in the offences alleged as transpiring from the materials in the case diary, 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 also be 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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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.

Considering the nature of the statement recorded under Section 164 of the Criminal Procedure Code of the victim, we deem it appropriate to impose a further condition that the petitioner shall not enter into the jurisdiction of the Tollygunge Police Station till conclusion of the investigation.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM (A) 2100 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)