

16.06.2022
cm/ct 28
sl no. 147

C.R.M. (A) No. 2782 of 2022

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with **Pukhuria P.S Case No. 304 of 2019** dated **29.07.2019** under Sections **448/323/325/363/354B/376/511/427 and 34** of the Indian Penal Code, 1860.

And

Allowed

In Re : Haren Ghosh

..... petitioner

Mr. Soupal Chatterjee ... for the Petitioner.

Mr. Soumik Ganguli
..... for the State

It is contended on behalf of the petitioner that there is delay in lodging First Information Report.

Learned lawyer for the State submits that petitioner has criminal antecedents.

We have considered the materials on record and keeping in mind the nature of allegations in the light of aforesaid submission made by the petitioner, we are of the opinion custodial interrogation of the petitioner may not be necessary in the facts of the present case but his movement requires to be restricted in order to instil confidence in the mind of the victim.

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, while on bail, shall not enter the jurisdiction of Pukhuria Police Station until further orders except for the purpose of investigation and/or for attending court proceedings and shall prove the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) No. 2782 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)