

01.07.2022
Serial no.13
Aloke

CRM (A) 3103 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Chapra Police Station Case No. 134 of 2022 dated 17.03.2022 under Sections 417/376/323/506/34 of the Indian Penal Code.

-And-

In the matter of : **Sahajahan Mondal @ Sajahan Mondal**
... .. Petitioner

Mr. Prabir Majumder, Advocate
... .. For the Petitioner

Mr. S.G. Mukherjee, Id. PP
Mr. Aniket Mitra, Advocate
... ..For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police complaint was lodged nine months after the alleged incident.

The police complaint is a result of pre-existing relationship turning sour.

Learned Advocate appearing for the State draws the attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and to a subsequent complaint of the victim claiming that the petitioner uploaded offensive pictures of the victim on the social media platform.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure where, the victim acknowledges a relationship with the petitioner and considering the materials in the case diary and the delay in the lodgment of the first information report, 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 condition that the petitioner shall meet the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioner shall appear on every date 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 3103 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)