

07.07.2022

19

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3195 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ketugram** Police Station Case No. **289** of **2022** dated **20.06.2022** under Sections 420/506/34 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Ratnakar Dey

..... petitioner

Mr. Uday Shankar Chatterjee

Mr. Santanu Maji

Ms. Trisha Rakshit

....for the petitioner

Mr. Md. Anwar Hossain

Ms. Benazir Hasna

Mr. M. H. Chowdhury

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner and the de-facto complainant are married. He refers to the complaint dated May 2, 2022 alleged by the petitioner as against the de-facto complainant and her family members. He submits that the present police case is a counter-blast to such earlier police complaint.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.)

as also to a complaint lodged by the daughter of the petitioner as well as the victim dated June 24, 2022.

The petitioner and the de-facto complainant are married. There is a marriage certificate to such effect. There is a complaint lodged by the petitioner dated May 2, 2022 against the de-facto complainant and her family members. The contents of such complaint is corroborated by the contents of the writing dated June 24, 2022 of the daughter of the petitioner and the de-facto complainant.

The possibility of the petitioner being falsely implicated cannot be ruled out at this stage. In such circumstances, 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/-, 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 meet the Investigating Officer as and when called for till the conclusion of the investigations and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)