

13.07.2022
Serial no. 37
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 3349 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Rahara** Police Station Case No. **228** of **2022** dated **03.07.2022** under Sections **376/417** of the Indian Penal Code.

-And-

In the matter of : **Asim Chatterjee @ Ashim Chatterjee**
... .. Petitioner

Mr. Minon Mukherjee, Id. sr. adv.
Mr. Biswajit Manna, Advocates
... .. For the Petitioner

Mr. Saswata Gopal Mukherjee, Id. PP
Mr. Aniket Mitra, Advocates
... ..For the State

Petitioner prays for anticipatory bail.

Learned senior advocate appearing for the petitioner submits that the victim and her family responded to a matrimonial advertisement issued by the family of the petitioner for the marriage of the petitioner. The proposal of marriage did not work itself out. The petitioner was falsely implicated.

Learned Public Prosecutor appearing for the State draws the attention of the Court to the statements of the victim recorded under Section 164 of the Criminal Procedure Code. In her statement, the victim narrates the incident of two years old.

In view of the statements of the victim recorded under Section 164 of the Criminal Procedure Code and 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 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) 3349 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)