

C.R.M. (A) 3691 of 2022

03.08.2022
Sl.11
Court No.29
(AD)
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dhantala** Police Station Case No. **69 of 2022** dated **07.02.2022** under Sections **323/325/376/506** of the Indian Penal Code.

And

In the matter of: **Prasenjit Sen**

....petitioner.

Mr. Prabir Majumder

...for the petitioner.

Mr. Pravas Bhattacharyya

Mr. Suman Saha

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police complaint was lodged within seven months of the alleged incident.

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.

The victim claims that she and the petitioner were known to each other through the social platform. The petitioner allegedly gave her a proposal of marriage.

Considering the delay in lodgment of the FIR, the contents of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the materials in the case diary, 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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of

the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a fortnight till the conclusion of the investigation 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 3691 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)