

18.08.2022
Sl.45
Court No.29
(AD)
(Allowed)

C.R.M. (A) 3959 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **929** of **2022** dated **11.06.2022** under Sections **448/376/323/506/34** of the Indian Penal Code, corresponding to G.R. Case No.3588 of 2022.

And

In the matter of: **Shiba Das**

....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Ms. Sujata Das

...for the State.

Mr. Arup Kumar Bhowmick

... for the de facto complainant.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

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. She submits that the victim denied medical examination.

Learned Advocate appearing for the de facto complainant submits that the de facto complainant filed a complaint, *inter alia*, under Section 195A of the Indian Penal Code against the petitioner.

In her statement recorded under Section 164 of the Code of Criminal Procedure, the victim claims that the petitioner used to come to her house and that his behavior was not being liked by the victim.

The statement of the victim suggests that the victim and the petitioner were known to each other.

Considering the statement of the victim recorded under

Section 164 of the Code of Criminal Procedure and considering 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 as and when called for 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) 3959 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)