

30.08.2022
Serial no. 13
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 4120 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **F.I.R. No. 71 of 2022** dated **20.05.2022** of **New Alipore** Police Station under Sections **417/376/312** of the Indian Penal Code.

-And-

In the matter of : **Pabitra Majumder**

... .. Petitioner

Mr. S. S. Imam,
Ms. Tanusree Chatterjee,, Advocates
... .. *For the Petitioner*

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee, Advocates
... ..*For the State*

The de facto complainant in her statement recorded under Section 164 of the Criminal Procedure Code acknowledges a relationship between her and the petitioner.

Both the de facto complainant and the petitioner are adults.

The medical examination report, *prima facie*, does not corroborate the claim of the de facto complainant.

In such circumstances, 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 as and when called for 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) 4120 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)