

29.09.2022.

07.

AD/KC

(Allowed).

C.R.M. (A) 4605 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur P. S.** Case No.790 of 2022 dated 01.09.2022 under Sections **417/376** of the Indian Penal Code.

In the matter of : Ruktar @ Ruktara Ali

... Petitioner.

Mr. Koustav Bagchi

Mr. Debayan Ghosh.

...for the Petitioner.

Mr. Pravas Bhattacharya

Mr. Suman Saha

.....for the State.

Petitioner submits that there was a love affair between the parties. Victim was a major lady at the time of co-habitation.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Victim was a major lady at the time of co-habitation and was aware of the consequences thereof. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and the petitioner may be granted anticipatory bail.

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 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 appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)