

09.11.2022

Serial no. 18

[Dd]

(Anticipatory Bail)

**(Ptn. 1- dismissed as
infructuous**

Ptn. 2- Allowed)

CRM (A) 4842 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Haldia Women** Police Station Case No. **60** dated **August 30, 2022** under Sections **376/417/323/506/34** of the Indian Penal Code.

-And-

In the matter of : **Samir Panda & Anr.**

... .. **Petitioners**

*Mr. Navanil De,
Mr. Srinjan Ghosh,
Mr. Subhrajit Dey, Advocates
... .. For the Petitioners*

*Mr. Arijit Ganguly,
Mr. Avik Ghatak, Advocates
... ..For the State*

CRM (A) 4842 of 2022 is dismissed as infructuous for far as the first petitioner (Samir Panda) is concerned since he was taken into custody. The first petitioner was granted bail by the jurisdictional Court.

Apparently, the police case emanates out of a relationship turning sour.

In view of the principal co-accused being granted bail by the jurisdictional Court and in view of the materials in the case suggesting that the police case emanate out of a relationship turning sour, we are inclined to grant anticipatory bail to the petitioner no. 2 (Fatu Panda @ Sukanta Panda).

Accordingly, we direct that in the event of arrest the petitioner no. 2 (Fatu Panda @ Sukanta Panda) 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 no. 2 shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioner no. 2 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 no. 2 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner no. 2 is **allowed.**

CRM (A) 4842 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)