

15.11.2022

Sl.38

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4942 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kolkata Leather Complex** Police Station Case No. **56 of 2022** dated **10.06.2022** under Sections **417/376/506/509/499/120B** of the Indian Penal Code.

And

In the matter of: **Rajdeep Acharyya**

....petitioner.

Mr. Sabir Ahmed
Mr. Avhishek Verma
Ms. Sneha Giri

...for the petitioner.

Md. Anwar Hossain
Mr. Mirza Firoj Ahmed Begg

...for the State.

Ms. Rupa Majumder

... de facto complainant (in-person).

Petitioner prays for anticipatory bail.

The petition is taken up for consideration subsequent to the order dated October 13, 2022.

Interim protection was granted to the petitioner on conditions.

Apparently, the petitioner complied with such conditions.

There is a detailed statement recorded under Section 164 of the Code of Criminal Procedure of the de facto complainant.

The de facto complainant is a doctor by profession.

Apparently, the de facto complainant entered into a relationship with a married person. She claims that she became aware of the marriage of the petitioner subsequently.

The investigations are yet to be concluded.

Considering the gravity of the offence and the materials in the case diary and considering the fact that both the petitioner and the de facto complainant are adults and considering the fact that the relationship was at a given stage consensual in nature, 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) 4942 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)