

04.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5076 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sankrail** Police Station Case No. **1039** of **2021** dated **27.08.2021** under Sections 376/417 of the Indian Penal Code, 1860.

And

In Re : Ravi Shankar Mothpati

..... petitioner

Mr. Dibyendu Chatterjee

Ms. Reshmi Ghosh

Ms. Piyali Paul

Mr. Argha Ghosh

....for the petitioner

Mr. Pravas Bhattacharya

Mr. M.F.A. Begg

....for the State

Both the petitioner and the victim are adults.

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) states that, there was a relationship between her and the petitioner.

As adults, the petitioner and the victim are expected to be conscious of the consequences of their relationship.

In such circumstances, 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/-, 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 meet the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)