

CRM (A) 5137 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 424 of 2022 dated 20.09.2022 under Sections 417/376 of the Indian Penal Code.

-And-

In the matter of : **Raj Kumar Mondal**

... .. Petitioner

Mr. M. Chatterjee, Advocate

Mr. D. Majumder, Advocate

Mr. Samrat Paul, Advocate

... .. For the Petitioner

Mr. Narayan Prasad Agarwal, Advocate

Mr. Pratick Bose, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

The de facto complainant in her statement recorded under Section 164 of the Code of Criminal Procedure acknowledges that there were pre-existing relationship between the petitioner and her. Both of them are adults. They are supposed to be aware of the consequences in such relationship.

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 condition that the petitioner shall meet the Investigating Officer once in a month 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) 5137 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)