

06.04.2022
Sl. 01
Court No.29
suvayan
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 142 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mathabhanga** P.S. Case No. **13 of 2022** dated **13/01/2022** under Sections **376/417** of the Indian Penal Code, 1860.

And

In the matter of: Pintu Barman

....petitioner.

Mr. Sayan De
Mr. Kaustuv Shome

...for the petitioner.

Mr. Ujjwal Luksom

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police complaint is a result of a previous relationship turning sour.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code.

The petitioner and the victim are adults.

In her statement recorded under Section 164 of the Criminal Procedure Code, the victim acknowledges the existence of the past relationship between her and the petitioner.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code, 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 in a fortnight till the conclusion of the investigation and on condition that the petitioner shall appear every day 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.

CRM (A) 142 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)