

14.06.2022
07
Ct. No. 01
KAUSHIK
Allowed

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

C.R.M.(A) 192 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pundibari** Police Station Case No. **455** of **2020** dated **10.11.2020** under Sections 376(2)(n)/109/506 of the Indian Penal Code, 1860.

And

In Re : Ajit Ray

..... petitioner

Mr. Hillol Saha Poddar

Ms. Mousumi Das

....for the petitioner

Mr. Kallol Acharjee

Mr. Tapan Bhattacharjee

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the police complaint is a result of a love relationship turning sour.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the de-facto complainant recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

Considering the contents of the 164 Cr.P.C. statement of the de-facto complainant and considering the materials on record and considering the fact that the petitioner is a

‘Constable’ with the ‘Sashastra Sima Bal’, 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 in a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)