

05.01.2023

24

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 20 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagarpara** Police Station Case No. **197** of **2022** dated **24.08.2022** under Sections 342/376D/420/506 of the Indian Penal Code, 1860 (Charge-sheet filed under Sections 342/376/120B/506/509 of the Indian Penal Code, 1860).

And

In Re : Pintu Sk @ Sekh

..... petitioner

Ms. Minoti Gomes

Md. G. N. Imrohi

....for the petitioner

Mr. Neguive Ahmed

Ms. Ayantika Roy

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, there was an affair between the petitioner and the de-facto complainant. The de-facto complainant lodged a previous police complaint alleging that the brother-in-law raped her. The police filed charge-sheet, inter alia, under Section 376 of the Indian Penal Code after conducting an investigation under Section 376D of the Indian Penal Code thereof.

The petitioner and the de-facto complainant are adults.

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 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.)