

17.01.2023

Sl.42

Court No.29

(AD)

(Allowed)

C.R.M. (A) 214 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Habibpur** Police Station Case No. **8 of 2023** dated **06.01.2023** under Sections **417/376/506** of the Indian Penal Code, 1860; vide G.R. No.-118/2023.

And

In the matter of: **Debasish Mandal**

....petitioner.

Mr. Kalidas Saha

...for the petitioner.

Mr. Narayan Prasad Agarwala

Mr. Chittaranjan Ghosh

...for the State.

Petitioner prays for anticipatory bail.

Affidavit of service filed in Court be taken on record.

None appears for the victim.

The statement of the victim recorded under Section 164 of the Code of Criminal Procedure acknowledges that there was a relationship between the petitioner and the victim.

It is contended on behalf of the petitioner that, the victim married a different person and thereafter, lodged the present police complaint.

The victim and the petitioner both 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/- (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 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 214 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)