

03.02.2023

Sl.7

Court No.29

(AD)

(Allowed)

C.R.M. (A) 461 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No.**19 of 2023** dated **20.01.2023** under Sections **417/376/313** of the Indian Penal Code.

And

In the matter of: **Amrita Ghosh**

....petitioner.

Mr. Bibaswan Bhattacharya

Mr. Asraf Mondal

... for the petitioner.

Mr. Debabrata Chatterjee, Ld. APP

Mr. Santanu Chatterjee

...for the State.

Mr. Atis Kumar Biswas

Mr. Amit Singh

... for the de facto complainant.

Petitioner prays for anticipatory bail.

The de facto complainant in her statement recorded under Section 164 of the Code of Criminal Procedure claims that she and the petitioner were in a relationship in excess of four years. She claims that the petitioner entered into a physical relationship with her on a promise of marriage.

State and the de facto complainant are represented.

The issue as to whether the petitioner held out a promise of marriage and whether the petitioner entered into a physical relationship on such promise are issues which may be decided at the trial, if raised.

In the facts and circumstances of the present case, we do not find any requirement of custodial interrogation of the petitioner.

Consequently, 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) 461 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)