

28.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1244 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Balurghat** Police Station Case No. **91** of **2023** dated **08.02.2023** under Sections 448/376/511/325/307/506 of the Indian Penal Code, 1860.

And

In Re : Ananta Haldar

..... petitioner

Mr. Kallol Mondal

Mr. Salman Laskar

....for the petitioner

Mr. Binoy Panda

Ms. Puspita Saha

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The present police complaint is a result of a relationship turning sour.

The de-facto complainant recorded her statement under Section 164 of the Code of Criminal Procedure where, she acknowledges that there was a relationship between her and the petitioner. The claims made by the petitioner with regard to the assault and the attempts on her remains uncorroborated at this stage since, the de-facto complainant refused to undergo any medical examination

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 further condition that the petitioner shall meet 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)