

05.04.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1432 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **208** of **2023** dated **14.02.2023** under Sections **363/376/511/420/506** of the Indian Penal Code.

And

In the matter of : Bablu Sarkar

..... petitioner

Ms. Minoti Gomes,

Mr. Musharraf Alam Sk.

....for the petitioner

Mr. Binay Panda,

Mr. Subham Bhakat

....for the State

The de facto complainant is 43 years of age and married.

Apparently, she was in a relationship with the petitioner.

The claim of the petitioner is of false implication.

There is a claim of offensive photos being taken by the petitioner.

In such circumstances, petitioner will deposit mobile phone with the Investigating Officer forthwith.

Considering the materials in the case diary including the statement of the de facto complainant recorded under Section 164 of the Criminal Procedure Code 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 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 fortnight till the conclusion of 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.)