

19.04.2023

31
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1660 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Women Police Station Bankura** being Case No. **42** of **2023** dated **30.03.2023** under Sections **341/376/506/109/34** of the Indian Penal Code.

And

In the matter of : Achintya Chatterjee

..... petitioner

Mr. Milon Mukherjee, Id. Senior Advocate
Mr. Ayan Basu,
Mr. Sandip Kr. Mondal,
Mr. Sumit Routh
....for the petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan
....for the State

Petitioner prays for anticipatory bail.

Learned Senior Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The de facto complainant was the employee of the petitioner.

Learned advocate appearing for the State draws attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code, claims that, she was taken to a place on the pretext of conference on January 25, 2022 when she was given an indecent proposal. She was

also taken on the pretext of another conference to another place in the month of November 20, 2022 where again an untoward incident occurred in presence of another lady. Subsequently, she was taken out by the petitioner on March 21, 2023 when she claimed that she was raped.

The police complaint was lodged after lapse of a considerable period of time from the date of the incident of March 21, 2023.

In view of the narration of the events as appearing from the statement recorded under Section 164 of the Criminal Procedure Code and in view of the fact that the claims are yet to be corroborated, 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.)