

03.05.2023

Serial no.12

[Dd]

(Anticipatory bail)

(Allowed)

CRM (A) 1868 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Keshiary** Police Station Case No. **56** of **2023** dated **February 18, 2023** under Sections **376(2)(n)/417/506/120B** of the Indian Penal Code corresponding to G.R. Case no. 187 of 2023.*

-And-

In the matter of : **Arnab Sengupta**

... .. Petitioner

Mr. Souvik Mitter,

Mr. Ashish Shah,

Ms. Diksha Ghosh, Advocates

... .. For the Petitioner

Mr. Arijit Ganguly,

Mr. Avik Ghatak, Advocates

... ..For the State

Petitioner filed a suit for declaration of the marriage between him and the de facto complainant as a nullity.

Petitioner and the de facto complainant are married. Petitioner relies upon a marriage certificate to such effect.

There is a statement recorded under Section 164 of the Criminal Procedure Code of the victim.

Considering the fact that there is a suit filed by the petitioner prior in point of time seeking nullity of the marriage and considering the fact that there is a marriage subsisting during the period of time when the incidents are alleged to occur, we are inclined to 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 report before the Investigating Officer as and when called for till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 1868 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)