

21.06.2023
(D/L 182)
Ct. No.29
Allowed
(SKB)

CRM (A) 2317 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Domjur Police Station Case No. 348 of 2023 dated 20.05.2023 under Sections 376/417/313 of the Indian Penal Code.

In the matter of : Suraj Mallick @ Suraj Mullick
... Petitioner

Mr. Abhishek Halder,
Ms. P. Bandopadhyay,
Mr. Avik Ghatak,
Mr. Swadesh Misra,
Mr. Soham De Dhara

... for the petitioner

Mr. Pravas Bhattacharya,
Mr. Mirza Firoj Ahemed Begg

... for the State

Mr. Uddipan Banerjee
... for the Defacto complainant

1. Heard the learned Counsel for the parties.
2. The petitioner is alleged to have kept relationship with the victim informant which is stated to have been broken up by virtue of an agreement between them vide Annexure P-1. It is alleged by learned counsel for the informant that the petitioner is still threatening the victim.
3. Regard being had to such facts and submissions, admitted relationship between the parties and subsequent break up, we do not find any justification of custodial interrogation of the petitioner.
4. Accordingly, taking into consideration the facts and circumstances and nature of allegations, sequence of

events, factum of permanent residence of the petitioner and substantial progress in the investigation, it is directed that the petitioner shall be released on bail in the event of arrest by the Arresting Officer on such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Domjur Police Station Case No.348 of 2023 dated 20.05.2023 including the conditions that i) the petitioner shall not threaten, induce or coerce any witness of the victim in any manner whatsoever during the pendency of the case. ii) The petitioner is further directed to appear before the I.O. for the purpose of investigation once in a fortnight on the day and time fixed by the I.O.

5. Within 21 days from today the petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM(A) 2317 of 2023 is disposed of.
8. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)