

18.07.2023
(M/L 116)
Ct. No.29
Allowed
(SKB)

CRM (A) 2511 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chanchal P.S. Case No.930 of 2022 dated 12.08.2022 under 417/493/376/506 of the Indian Penal Code (GR Case No.2174 of 2022).

In the matter of : Alam

... Petitioner

Ms. Minoti Gomes

... for the petitioner

Mr. Tanmoy Kr. Ghosh,
Ms. Sonali Bhar

... for the State

1. Heard the learned Counsel for the parties.
2. There is stated to be physical relationship between the victim (a widow) and the petitioner on the petitioner's promises to marry the victim. The petitioner is also a married person. Whether there is intention to cheat at the outset when the promises was made is to be better left to be decided by the trial court.
3. Having perused the statement of the witnesses, we do not find any justification for custodial interrogation of the petitioner.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, genesis of events and substantial progress of investigation, nature of evidence and substantial progress

in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition (i) the petitioner is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form, (ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

5. Within 21 days from today 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) 2511 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)