

25.07.2023
SL. 41
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2663 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bidhannagar South** Police Station Case No. **130** of **2023** dated **29.05.2023** under Sections **376/312/417/506** IPC (corresponding to G.R. Case No. **537** of **2023**).

And

In the matter of: **Debasish Bhattacharjee**

....petitioner.

Mr. Sandipan Ganguly
Mr. Sourav Chatterjee
Mrs. Subhasree Patel
Mr. Arkadeb Bhattacharya
Mr. Soham Banerjee

...for the petitioner.

Mr. P. K. Datta, Ld. APP
Mr. Santanu Deb Roy

...for the State.

Mr. Sourav Chatterjee

... for the defacto complainant.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the victim recorded under Section 164 Cr.P.C. and photographs of marriage between the petitioner and the victim.
3. The victim is stated to be a married lady and the petitioner is also a married person. The allegation is that suppressing the fact that the petitioner is father of the children to his first wife and saying that he has divorced his first wife, he kept relationship with the victim since 2019.
4. It is an admitted fact that there is a consensual relationship between the parties for a period of about four years before the lodging of FIR and there was enough time to smell out the

ulterior intention of the petitioner.

5. Investigation is stated to have progressed substantially.
6. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer 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 conditions that (i) the petitioner is directed to appear before the I.O once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.; (ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
7. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
8. Accordingly, the prayer for the anticipatory bail is allowed.
9. The application being **CRM (A) 2663 of 2023** is disposed of.
10. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

