

28.07.2022
tkm/ct 28
sl no. 42

C.R.M. (A) 2718 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. 497 of 2023 dated 29.4.2023 under sections 417/493/376 IPC
And

Allowed

In Re : Abdul Rajjak @ Abdul Reja @ Rajesh Ali @ Rajesh
..... petitioner

Mr. Ashok Das
Mr. S Mukherjee
Ms. Roma Roy

..... for the petitioner

Ms. Anasyua Sinha
Ms. Mayukhi Mitra

..... for the State

It is submitted on behalf of the petitioner that the victim lady was major at the time of cohabitation. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the materials on record. Victim was a major lady and was aware of the consequences of her intimate association with the petitioner.

In view of the aforesaid fact we are of the opinion custodial interrogation for the purpose of investigate is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 2718 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)