

08.08.2023
ML. 119
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2891 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **231** of **2023** dated **21.04.2023** under Sections **417/376** of the IPC (corresponding to G.R. Case No. 2459 of 2023, pending before the Learned C.J.M. Malda).

And

In the matter of: **Narayan Mandal @ Narayan Mondal**
....petitioner.

Mr. Kalidas Saha
...for the petitioner.

Mr. Imran Ali
...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner and the victim are alleged to have been in a romantic relationship on the basis of the promise by the petitioner to marry the victim.
3. Investigation is stated to have progressed substantially.
4. The question of fact regarding the promise by the petitioner at the outset was false or not is better to be decided by the learned Trial Court.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of offence 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 fact 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.
- iii) the petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the I.O.

6. 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.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2891 of 2023** is disposed of.
9. 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.)

