

14.08.2023
(D/L 09)
Ct. No.29
Allowed
(SKB)

CRM (A) 3009 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Shakespeare Sarani P.S. Case No.87 of 2023 dated 30.05.2023 under Sections 354/354A/354B of the Indian Penal Code [GR (S) Case No.619 of 2023].

In the matter of : Mr. Bidyut Kumar Guha
@ Bidyut Kr. Guha

... petitioner

Mr. Sekhar Kr. Basu, Sr. Adv.
Mr. Antarikhya Basu,
Mr. Sayan Mukherjee,
Ms. Madhumita Basak

... for the petitioner

Mr. Sudip Ghosh,
Mr. Kaushik Kundu

... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed before us including the statement of the victim recorded under Section 164 Cr.P.C. The investigation is stated to have progressed substantially.
3. It is submitted by the learned counsel for the petitioner that the internal committee has already exonerated the present petitioner on the basis of complaint filed by the informant and the petitioner has also complied with the notice of the IO issued to him under Section 41A Cr.P.C.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence makes sentence prescribed

for the offence alleged 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 GR (S) Case No.619 of 2023 arising out of the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. 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.
7. The application being CRM(A) 3009 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.)