

17.08.2023

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Allowed

C.R.M. (A) No. 3139 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Rishra Police Station Case No. 51 of 2023 dated 14.04.2023 under Sections 420/376/313 of the Indian Penal Code.

And

In Re : Krishna Gupta petitioner

Mr. Sanjib Mitra
.....for the petitioner

Mr. Bidyut Kumar Roy
Ms. Rita Datta
....for the State

1. Heard the learned Counsel for the parties.

2. We have considered the materials on record. Victim was a major girl at the time of cohabitation and was aware of the consequences thereof. No medical paper with regard to miscarriage is placed on record. In view of the aforesaid circumstances we are of the opinion custodial interrogation of the petitioner is not necessary and he may be enlarged on anticipatory bail.

3. 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 and on condition that he shall appear before the court below and pray for regular bail within a period of four weeks from date.

4.This application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)