

23.08.2023

ML. 362
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3168 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Medinipur All Women** Police Station Case No. **126** of **2022** dated **10.12.2022** under Sections **341/ 323/ 354A/ 376/ 420/ 509/ 511** IPC.

And

In the matter of: **Partha Pratim Hatui**

....petitioner.

Mr. Koustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar

...for the petitioner.

Mr. Avishek Sinha

...for the State.

1. Heard learned Counsel for the parties.
2. The allegation of the victim as found from her statement recorded under Section 164 Cr.P.C is to the effect that the petitioner used to make inappropriate touches and sexual advances with lewd remarks against the victim, he being the employer of some other female workers also, who have left the job in the meantime have also given similar statement recorded by the police under Section 161 Cr.P.C. but their statement against the petitioner does not make out so serious allegation as has been made out from the statement of the present victim.
3. Some papers have been annexed to the present petition to show that the petitioner had advanced Rs. 6,50,000/- to the husband and the brother of the present informant. When he asked further money, the petitioner was assaulted and manhandled for which FIR has been lodged by him in the

jurisdictional P.S. on 01.12.2022. It is alleged that the present FIR is the counter-blast of the aforesaid FIR.

4. On an enquiry, learned Counsel for the petitioner submits that as the petitioner fell in a trap, he has already stopped business owing to financial loss.
5. Regard being had to the facts and rival submission, factum of permanent residence of the petitioner and the fact that the veracity of the allegation and counter allegation is better to decide by the Trial Court 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 week 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) 3168 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.)

