

30.08.2023

SL. 15

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 3363 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Hanskhali** P.S. Case No. **437 of 2012** dated **05.06.2012** under Section **195(A)** of the IPC corresponding the G.R. case No. 1465 of 2012 pending before the learned ACJM, Ranaghat, Nadia.

And

In the matter of: **Utpal Sardar**

....petitioner.

Ms. Minoti Gomes

Ms. Shanta Sarkar

...for the petitioner.

Mr. Tanmoy Kr. Ghosh

Ms. Sonali Bhar

...for the State.

1. Heard learned Counsel for both the parties.
2. The petitioner is on bail in the main case under Section 376 IPC.

The present petitioner has come to this Court after 12 years of institution of the present case on the ground that he had no knowledge about the institution of the present case by the Police and he is diligently cooperating in the trial.

3. The present case has been instituted on the basis of report that the petitioner had threatened the victim and her father at gunpoint. Both the aforesaid witnesses are stated to have been examined in the meantime in the main case.
4. It is submitted by learned Counsel for the petitioner that the trial is at the verge of completion.
5. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia within 15 days from today in the G.R. case No. 1465 of 2012 arising out of aforesaid P.S. case. On his appearance and application for bail the petitioner shall be

released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. The learned ACJM is directed to act upon the server copy of this order, if required.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3363 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

