

30.08.2023

SL. 29

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3472 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **608** of **2023** dated **02.08.2023** under Sections **448/376/511/325/506/34** of the Electricity Act.

And

In the matter of: **Bablu Das**

....petitioner.

Mr. Asraf Mandal

...for the petitioner.

Mr. Joydeep Roy

Mr. Amanul Islam

...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed before us including the statement of the victim recorded under Section 161 Cr.P.C. and the FIR.
3. The allegation *per se* does not constitute any offence under Sections 376/511 IPC at least *prima facie* though offence under Section 354 IPC is made out. This case is stated to be a counter-blast of the case stated to have been lodged by the mother of the present petitioner against the present informant and her husband.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, 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 Final Form;
 - ii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3472 of 2023** is disposed of.
8. 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.)

