

04.10.2023
D/L 23
Ct. No.29
(Allowed)
(SKB)

CRM (A) 4017 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Chanchal P. S. Case No.886 of 2023 dated 17.07.2023 under Sections 417/376/493/506 of the Indian Penal Code (G.R. Case No.2068 of 2023).

In the matter of : Nasiruddin

... Petitioner

Mr. Kalidas Saha

... for the petitioner

Mr. Bidyut Kumar Roy,
Ms. Sima Biswas

... for the State

Mr. Biswajit Tiwari

... for the defacto complainant

1. Heard learned advocates for the parties.
2. Both the petitioner and the victim are major. From the statement of the victim recorded under Section 164 of the Cr.P.C., it is found that there was consensual physical relationship between the two for the last five years and now the petitioner is demanding money from the victim for solemnisation of marriage.
3. Regard being had to such facts and submissions, 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 by the Arresting Officer in the event of his arrest in the G.R. Case No.2068 of 2023 arising out of 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:

- i) The petitioner is directed to appear before the IO once in a week on the day and time fixed by the IO 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.
4. Accordingly, the prayer for the anticipatory bail is allowed.
 5. 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.
 6. The applications being CRM(A) 4017 of 2023 is disposed of.
 7. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)