

03.01.2023

27

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 6065 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Taltala Women** Police Station Case No. **13** of **2022** dated **19.11.2022** under Sections 376/417 of the Indian Penal Code, 1860.

And

In Re : Mannu Kumar Gupta

..... petitioner

Mr. Sudip Banerjee

....for the petitioner

Ms. Faria Hossain

Ms. Baisali Basu

Ms. Mamata Jana

....for the State

The de-facto complainant and the victim are adults.

The de-facto complainant in her statement recorded under Section 164 of the Code of Criminal Procedure acknowledges a pre-existing relationship.

In such circumstances, we grant anticipatory bail to the petitioner.

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 further condition that the petitioner shall meet the Investigating Officer once a fortnight

till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)