

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

27.02.2023.
130.
as
(Allowed).

C.R.M. (A) 80 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kuchlibari P. S. Case No.148 of 2022 dated 14.11.2022 under Sections 417/376 of the Indian Penal Code.

In the matter of : Sonapada Roy.

... Petitioner.

Mr. Hillol Saha.

...for the Petitioner.

Mr. Kallol Acharjee,
Ms. Namrata Das.

.....for the State.

Petitioner submits there was a love affair between the parties. Victim was a major lady at the time of cohabitation. He prays for anticipatory bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. De-facto complainant was major at the time of co-habitation. She was aware of the consequences thereof.

Under such circumstances, we are inclined to grant anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)