

15.01.2024
Item No.2
Ct. No. 29
CHC
Allowed

C.R.M.(A) 78 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ghola** Police Station Case No. **452** of **2023** dated **17.10.2023** under Sections **406/417/419/420/376/326/325/354B** of the Indian Penal Code, 1860.

And

In the matter of : Maloy Paul

..... petitioner

Mr. Subhabrata Chowdhury
....for the petitioner

Mr. Partha Pratim Das,
Mrs. Sujata Das
....for the State

Mr. Subrata Roy,
Mr. Sankar Halder
...for the de facto complainant

Petitioner prays for anticipatory bail.

Police complaint is dated October 17, 2023.

Petitioner before us is a member of the Central Reserve Police Force.

A number of police complaints were filed by the de facto complainant since 2014 as against the petitioner. Both the petitioner and the de facto complainant are adults.

De facto complainant recorded her statement under Section 164 of the Criminal Procedure Code where she speaks of incident from 2012.

Apparently, there was a relationship between the petitioner and the de facto complainant.

As adults, both are supposed to be aware of the consequences by their 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/- (Rupees Ten Thousand only), 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 report before the Investigating Officer once in a month till the conclusion of 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.

CRM(A) 78 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)