

30.01.2024

15
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 234 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Krishnanagar Women** Police Station Case No. **73 of 2023** dated **24.07.2023** under Sections 448/341/323/354A/354B/376/511/506/509/34 of the Indian penal Code.

And

In Re: Ajoy Halder @ Ajay Halder

..... petitioner

Ms. Minoti Gomes

Ms. Dona Sanyal

....for the petitioner

Mr. Manoranjan Mahata

...for the State

Affidavit of service filed in Court be taken on record.

None appears on behalf of the defacto-complainant despite service.

The present police complaint was registered subsequent to an order passed under Section 156(3) of the Cr.P.C.

Apparently, the defacto-complainant initially lodged a police complaint as against the petitioner before us. Petitioner obtained bail on March 15, 2023 in respect thereto. Thereafter, the defacto-complainant lodged the police complaint in respect of the same event as covered in the first police complaint.

The defacto-complainant had earlier recorded a statement under Section 164 of the Cr.P.C.

Considering the previous complaint of the materials in the case diary and the fact that the petitioner was enlarged on

bail by the Jurisdictional Court in the earlier police complaint, 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. The petitioner will report before the Investigating Officer once a month till the conclusion of the investigation. 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.)