

25.01.2024

Serial no. 01

Anticipatory bail

[Allowed]

Dd

CRM (A) 207 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Purulia Sadar Women** Police Station Case No. **43** of **2023** dated **07.09.2023** under Sections **341/307/376/511** of the Indian Penal Code, 1860.*

(G.R. Case No. 1641 / 2023)

-And-

*In the matter of : **Ambuj Kumar Das***

*... .. **Petitioner***

*Mr. Pawan Kr. Gupta,
Mr. Sougata Mitra,
Ms. Soma Chakraborty,
Ms. Sofia Nesar,
Ms. Subhasri Chatterjee,
Mr. Subhadeep Maitra, Advocates
... .. For the Petitioner*

*Mr. Arijit Ganguly,
Ms. Mousumi Sarkar, Advocates
... ..For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. There are at least 5 police complaints between the private parties.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code.

In her statement, the de facto complainant speaks of an incident at around 11.30 p.m at a public place.

Case diary does not contain any statement of any independent person corroborating the version of the de facto complainant.

Considering the previous animosity between the private parties, the issue of false implication assumes significance.

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 the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 207 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)