

18.04.2024
Item No.42
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1213 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dantan** Police Station Case No. **113/2021** dated **16.04.2021** under Sections **376/417/406** of the Indian Penal Code, pending before the Learned Additional Chief Judicial Magistrate, Dantan, Paschim Medinipur vide G.R. Case No.262/2021.

And

In the matter of : Sk. Hapijuddin @ Hapijuddin Sk
..... petitioner

Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha
....for the petitioner

Mr. Arijit Ganguly,
Ms. Saswati Ghosh Sinha
....for the State

Affidavit-of-service filed in Court be taken on record.

None appears for the de facto complainant.

Petitioner prays for anticipatory bail.

De facto complainant recorded her statement under Section 164 of the Criminal Procedure Code, where she acknowledges that there was a relationship between her and the petitioner.

De facto complainant is married to a different person.

Both the de facto complainant and the petitioner are adults. They are supposed to be aware of the consequences of 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 will report before the Investigating Officer once in a fortnight 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) 1213 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)