

27.08.2024
Court No.29
Item No. 206

sg

CRM (DB) 1451 of 2024

In Re:- An application for anticipatory bail under Section 439(2) of the Code of Criminal Procedure.

And

In Re: **xxx**

Petitioner

Mr. Amit Ranjan Pati

For the Petitioner

Mr. Suman De
Mr. Samarjit Bahial

For the State

Mr. Soumya Nag

For the opposite party no. 2

1. This is an application for cancellation of anticipatory bail granted by the learned Sessions Judge, South 24 Parganas, Alipore.
2. It is submitted that the learned Trial Court has wrongly recorded that the opposite party no.2 is prima facie a resident of Bihar and that he has attached to SSKM Hospital in Kolkata.
3. Even if we note the said two statements, the other conditions that really weighed with the Court are the long standing romantic relationship between two adults and as such the allegation of promise to marry may not be ground to deny anticipatory bail.
4. The learned Sessions Judge has considered the statement under Section 164 of the Code of Criminal Procedure and the medico legal examination report. The incident lodged is of 2016. The FIR was lodged on 2nd March, 2023. This long lapse of time can also be ignored. Under such circumstances, we do not find any reason to cancel the anticipatory bail.

5. The learned Counsel for the State has submitted charge sheet has already been submitted.
6. CRM (DB) 1451 of 2024 is, accordingly, disposed of with the aforesaid observation.

(Soumen Sen, J.)

(Uday Kumar, J.)