

12.06.2024
SL No.368
Court No.29
TN
(Allowed)

CRM (A) 1889 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kumarganj Police Station Case No.47 of 2023 dated 16.02.2023 under Sections 448/376/511 of the Indian Penal Code and charge sheet no. 138 of 2023 dated 27.05.2023 under Sections 448/376/511 of the Indian Penal Code.

And

In the matter of : **Prasenjit Sarkar @ Prasenjeet Sarkar.**

- petitioner.

Ms. Jeenia Rudra

....for the petitioner.

Mr. Rana Mukherjee, Ld. APP,
Ms. Rita Datta

... for the State.

1. The learned Counsel for the petitioner submits that the petitioner has been falsely implicated.
2. The learned Counsel for the State in opposing the prayer has referred to the statement of the victim recorded under Section 164 of the Criminal Procedure Code.
3. Considering the materials available in the case diary, the statement of the victim under Section 164 of the Criminal Procedure Code and the charge sheet has already been filed, we are of the opinion that custodial trial of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Prasenjit Sarkar @ Prasenjeet Sarkar** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer

and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present accused petitioner shall appear before the learned trial court within two weeks from date.

5. Accordingly, the application for anticipatory bail is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)