

19.06.2024
Court No.29
Item No. 12

Allowed

sg

CRM (A) 1912 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Krishnagar Women Police Station Case No. 23 of 2024 dated 01.04.2024 under Sections 341/376/509 of the Indian Penal Code.

And

In Re: **Amrita Kundu @ Amrito Biswas @ Amrit Biswas**

Petitioner

Md. U. Mondal

For the Petitioner

Mr. Rana Mukherjee
Ms. Sujata Das

For the State

Mr. Kalyan Kumar Bhattacharjee
Ms. Sahina Khatun

For the de-facto complainant

1. The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case. He has referred to an earlier order passed by the coordinate Bench on 27th February, 2024 in which the petitioner was granted anticipatory bail. The petitioner has complied with all the terms imposed in the order dated 27th February, 2024.
2. The learned Counsel for the State and the de-facto complainant have referred to the statement of the victim recorded under section 164 of the Cr.P.C. and the statement of one of the neighbours under section 161 of Cr.P.C. and submits that while he was enlarged on bail, he committed this offence. However, they have admitted that no application was filed before the learned Trial Court for cancellation of bail.

3. Considering the materials available in the case diary, the nature of involvement of the petitioner in the commission of alleged crime and the possibility of false implication prima facie cannot be ruled out at this stage, we are of the view that custodial interrogation of the present petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Amrita Kundu @ Amrito Biswas**, 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 arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall meet the I.O. once in a week till the submission of the final report. The petitioner shall appear before the learned Trial Court within two weeks from date and the petitioner shall not leave the jurisdiction of Nakashipara Police Station in the District of Nadia without the expressed leave of the jurisdictional court till the submission of final report, failing which, it would be open for the learned Trial Court to cancel the bail without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. CRM (A) 1912 of 2024 is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)