

03.07.2024
SL No.17
Court No.29
TN
(Allowed)

CRM (A) 2068 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Chandipur Police Station Case No.443 of 2023 dated 29.12.2023 under Sections 363/366 of the Indian Penal Code.

And

In the matter of : **Kartik Jana.**

- petitioner.

Mr. Md. Abdur Rakib,
Mr. Mojahid Mehedi

....for the petitioner.

Mr. Madhusudan Sur,
Mr. Ashok Das

... for the State.

1. The learned Counsel for the petitioner submits that the petitioner was in a romantic relationship with the victim and the family members of the victim have falsely implicated the petitioner.
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 Code of Criminal Procedure.
3. Considering the materials available in the case diary, nature and extent of complicity of the petitioner in the commission of the alleged offence and statement of the victim recorded under Section 164 CrPC and having regard to the fact that charge sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Kartik Jana** 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.

5. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate, Purba Medinipur, District: Purba Medinipur within two weeks from date and pray for regular bail.
6. It is further directed that the petitioner shall appear each and every date of hearing before the jurisdictional court/special court on and from the date fixed for appearance of the accused and in default the jurisdictional court/special court will pass appropriate order to secure presence of the petitioner in court including cancelling the anticipatory bail granted without further reference to this court.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)