

04.07.2024
SL No.13
Court No.29
(gc)
(Allowed)

CRM (A) 2091 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Ranaghat Police Station Case No.700 of 2023 dated 03.11.2023 under Sections 376/420/406/323 of the Indian Penal Code.

And

In the matter of : **Ram Krishna Gope**

- Petitioner.

Mr. Avik Ghatak,
Mr. Saibal Dasgupta

....For the Petitioner.

Mr. Ranadeb Sengupta,
Ms. Sudeshna Das

... For the State.

1. The affidavit-of-service filed in Court today is kept with the record.
2. In spite of service, the *de facto* complainant is not represented.
3. The learned Counsel for the petitioner submits that the petitioner is in relationship with the *de facto* complainant for the last five years and the relationship got sour, as a result whereof, a false complaint has been lodged.
4. Mr. Ranadeb Sengupta, learned Counsel appearing on behalf of the State submits that the *de facto* complainant has directly implicated the petitioner and it is alleged that the petitioner has married *de facto* complainant by suppressing his earlier marriage.
5. The petitioner is a married person.

6. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence, we are of the view that the custodial interrogation of the petitioner is not necessary.
7. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Ram Krishna Gope**, 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 petitioner shall meet the Investigating Officer once in a week and shall not leave the jurisdiction of the Durgapur Police Station without the leave of the Investigating Officer till the submission of the final report. It is further directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Ranaghat in connection with G.R. Case No.4345 of 2023 and pray for regular bail within two weeks from date.
8. Accordingly, the application for anticipatory bail is disposed of.
9. 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.)