

03.07.2024  
SL No.23  
Court No.29  
(gc)  
(Allowed)

**CRM (A) 2074 of 2024**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Belgharia Police Station Case No.139 of 2024 dated 02.04.2024 under Sections 376/417 of the Indian Penal Code.

And

In the matter of : **Antony Bose @ Tatai**

- Petitioner.

Mr. Kallol Kumar Basu,  
Md. Jannat ul Firdous

....For the Petitioner.

Mr. Jaydeep Biswas,  
Ms. Jonaki Saha

... For the State.

1. Affidavit-of-service filed in Court today is taken on record.
2. In spite of service, the *de facto* complainant is not represented.
3. The learned Counsel for the petitioner submits that he had friendship with the *de facto* complainant and he has been falsely implicated.
4. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the victim recorded under Section 164 of the Cr.P.C. and the medical report.
5. Considering the materials available in the case diary, the statement of the victim and the medical report which does not show any external injury, we are of the view that the custodial interrogation of the petitioner is not necessary.

6. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Antony Bose @ Tatai**, 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 till the submission of the final report and shall not leave the jurisdiction of the State of West Bengal without the leave of the Court. It is further directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate at Barrackpore, North 24-Parganas in connection with G.R. Case No.2279 of 2023 and pray for regular bail within two weeks from date.
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.)**