

05.07.2024
Court No.29
Item No. 67

Allowed

sg

CRM (A) 2189 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Balurghat Police Station Case No. 465 of 2024 dated 17.06.2024 under Sections 417/376/325 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur.

And

In Re: **Rupam Majumder**

Petitioner

Mr. B. Bhattacharya
Mr. A. Sarkar
Mr. A. Dewan
Mr. S. Pakrashya

For the Petitioner

Mr. Arindam Sen
Ms. Trina Mitra

For the State

1. Affidavit of service filed in Court 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 the petitioner was in love relationship with the de-facto complainant and the petitioner is innocent.
4. Both are married.
5. The learned Counsel for the State has produced the case diary, which contains the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.
6. Considering the materials available in the case diary, nature of relationship between the parties and the nature and extent of complicity of the petitioner

in the commission of alleged offence, we are of the view that custodial interrogation of the present petitioner is not necessary.

7. Accordingly, we direct that in the event of arrest the petitioner namely, **Rupam Majumder**, 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 and the petitioner shall meet the I.O. once in a week till the submission of final report. The petitioner shall appear before the learned Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur, in connection with G.R. Case No. 1145 of 2024 within two weeks from date.
8. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
9. CRM (A) 2189 of 2024 is, thus, disposed of.
10. 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.)