

11.07.2024
SL No.14
Court No.29
(gc)
(Allowed)

CRM (A) 2314 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Patashpur Police Station Case No.273 of 2024 dated 09.05.2024 under Sections 376/511 of the Indian Penal Code.

And

In the matter of : **Chandrakanta Shit**

- Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick
....For the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Subham Bhakat
... For the State.

1. The learned Counsel for petitioner submits that petitioner is innocent and he has been falsely implicated as he has recalled a loan from the husband of the de facto complainant.
2. The learned Counsel for the State has produced the case diary which, inter alia, includes the statement of neighbours and the statement of the victim recorded under Section 164 of the Cr.P.C.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and also having regard to fact that the statement of the neighbours and the statement of the victim recorded under Section 164 of the Cr.P.C., we are of the view that the custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Chandrakanta Shit**, 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 appear before the learned Additional Chief Judicial Magistrate, Contai in connection with G.R. Case No.468 of 2024 within two weeks from date.
5. Accordingly, the application for anticipatory bail is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Sugato Majumdar, J.)