

15.07.2024
Court No.29
Item No. 15

Allowed

sg

CRM (A) 2364 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, in connection with Belghoria Police Station Case No. 260 of 2024 dated 27.06.2024 under Sections 417/376/506 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate at Barrackpore.

And

In Re: **Arindam Majhi.**

Petitioner

Mr. Apalak Basu
Mr. Akash Ganguly

For the Petitioner

Ms. Faria Hossain, APP
Ms. Mousumi Sarkar

For the State

1. The affidavit of service filed in Court is taken on record.
2. In spite of service, the de-facto complainant is not represented.
3. The petitioner appears to be in love relationship with the defacto complainant.

However, dispute arose between the parties and it is alleged that the petitioner has been falsely implicated.
4. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has produced the case diary and the medical report.
5. The de-facto complainant is a divorcee. Nothing, as such, would transpire from the medical report. We have considered the statement of the victim and also the few documents including certain text messages exchanged between the parties as disclosed by the petitioner.

6. Considering the materials available in the case diary and the statement of the victim, we are of the view that the custodial interrogation of the present petitioner is not necessary.
7. Accordingly, we direct that in the event of arrest the petitioner namely, **Arindam Majhi**, 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 the final report. The petitioner shall appear before the learned Additional Chief Judicial Magistrate at Barrackpore in connection with G.R. Case No. 4295 of 2024 within two weeks from date.
8. In the event the petitioner fails to comply with any of the conditions as mentioned hereinabove, the trial court shall be at liberty to cancel her bail in accordance with law without any further reference to this Court.
9. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
10. CRM (A) 2364 of 2024 is, thus, disposed of.
11. 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.)