

07.08.2024
SL No.44
Court No.29
(gc)
(Allowed)

CRM (A) 2711 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the BNSS, 2023 filed in connection with Baguiati Police Station Case No.358 of 2024 dated 29.06.2024 under Sections 417/376/313 of the Indian Penal Code.

And

In the matter of : **Rajdeep Pal**

- Petitioner.

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose,
Mr. Soumen Chatterjee,
Ms. Soukteya Ganguly,
Ms. Shayani Das

....For the Petitioner.

Mr. Sibojyoti Chakraborti,
Ms. Riya Ghosh

....For the De facto Complainant.

Mr. Soumik Ganguly,
Mr. Akash Ganguly

... For the State.

1. The learned Senior Counsel for the petitioner submits that the petitioner developed a friendly relationship with the victim and has been falsely implicated.
2. The learned Counsel for the *de facto* complainant in opposing the prayer has submitted that she became pregnant on the assurance of a promise to marry which ultimately did not happen and she was forced by the petitioner to abort the child.
3. The learned Counsel for the State has produced the case diary and referred to the medical report and the statement of the victim recorded under Section 164 of the Cr.P.C.
4. Considering the fact that both the petitioner and the *de facto* complainant are matured and it does not prima facie show that

the victim was coerced by the petitioner for abortion and the medical report prima facie shows that she has visited a doctor on her own for the abortion and all the documents relating to the matter has already been collected by the Investigating Officer, we are of the view that the custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Rajdeep Pal**, shall be released on bail upon furnishing a bond of Rs.20,000/-, 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 corresponding to Section 482(2) of the BNSS, 2023 with further direction 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 district North 24 Parganas except for the purpose of meeting the I.O. or for attending the Court.
6. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate at Barasat, North 24 Parganas in connection with G.R. Case No.2483 of 2024 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.)