

27.09.2024

Court No.29

Item No. 21

Allowed

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CRM (A) 3464 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chapra Police Station Case No. 675 of 2024 dated 30.06.2024 corresponding to S.L No. 3084 of 2024 under Sections 417/376/506/34 of the Indian Penal Code.

And

In Re: **Pintu Santra**

Petitioner

Ms. Minoti Gomes

Mr. Prabir Majumder For the Petitioner

Mr. Debabrata Chatterjee

Mr. Sobhan Gani For the State

1. In spite of service, the de-facto complainant is not represented.
2. Learned counsel for the petitioner submits that the petitioner was in love relationship with the victim and he has been falsely implicated.
3. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the victim and the medical report.
4. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the statement of the victim read with the medical report and moreover the charge-sheet has been filed, we are of the view that custodial interrogation of the petitioner is not necessary. However, having regard to the nature of the statement recorded under Section 164Cr.P.C, we direct the petitioner to immediately surrender the mobile phone of the petitioner without deleting any message, picture and

videos to the investigating officer for the purpose of investigation on or before 1st October, 2024.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Pintu Santra** 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, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall appear before the **learned Additional Chief Judicial Magistrate, Nadia at Krishnagar**, corresponding to **S.L No. 3084 of 2024** within **10 days** from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. 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)

