

05.11.2024
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SG
[ALLOWED]

C. R. M. (A) 3795 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Panskura Police Station Case No. 311 of 2024 dated 06.04.2024 under Sections 376/417/506 of the Indian Penal Code.

In Re: Rabindra Nath Das

... ... Petitioner

Mr. Swapank Kr. Mallick

Ms. Sudeshna Das

... ... for the petitioner

Ms. Sukanya Bhattacharya,

Mr. Soumya Basu Roy Chowdhuri.

... ... for the State

1. Petitioner contends parties had a consensual relationship and he has been falsely implicated. He prays for anticipatory bail.
2. Learned lawyer for the State submits petitioner was a married man and dishonestly cohabited with the victim.
3. Nobody appears for the victim.
4. We have considered the materials on record including the statement of the victim. She is a widow. After the death of her husband she met with the petitioner and both of them developed a romantic relationship. They had travelled together to various places.
5. It is alleged subsequently she came to know petitioner is a married person. Petitioner resides within Kolaghat police station whereas the victim resides at Panskura police station. Their residences are not very far off. They had an intimate

relationship for a long time and had visited various places together. Credibility of the allegation that the victim was unaware of the marital status of the petitioner requires to be assessed in the backdrop of the aforesaid facts. Investigation is complete.

6. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

7. Accordingly, we direct that in the event of arrest, the petitioner viz., Rabindra Nath Das be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. He shall appear before the court below and pray for regular bail within four weeks from date.

8. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)