

30.01.2024
SL No. 444
Ct No. 29
SB

C.R.M. (A) 5161 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta P.S. Case No. 789 of 2023 dated 04.10.2023 under Section 376/509/506/34 of the Indian Penal Code.

And

In the matter of: Sougata Biswas

....Petitioner

Mr. Bibhasan Bhattacharjee
Mr. Asraf Mondal

...for the Petitioner

Mr. Imran Ali
Ms. Sima Biswas

...for the State

Mr. Atis Kumar Biswas
Mrs. Jyoti Agarwal

...for the de facto complainant

Victim recorded her statement under Section 164 of the Cr. P.C. where she claims that there was a relationship between her and the petitioner. Victim lodged the complaint when she was a major. Her statement also shows she is a major now.

Under such circumstances we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall report before the Investigating Officer once a month till the conclusion of the

investigation. The petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)