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31.01.2024

CRM (A) 5256 of 2023

In re : An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 785 of 2023 dated 21.08.2023 under Sections 376/417/506 of the Indian Penal Code.

-And-

In the matter of : Deep Ranjan Prasad

... ..petitioner

Mr. Sabir Ahmed

Mr. Sujoy Sarkar

Mr. Prasun Mukherjee

Mr. Sourav Mukherjee

... .. for the petitioner

Ms. Zareen N. Khan

... ...for the State

Affidavit of service filed in Court be taken on record.

None appears for the de facto complainant.

De facto complainant recorded her statement under Section 164 of the Code of Criminal Procedure where she stated that, there was a relationship between her and the petitioner.

Both are adults.

As to whether, the relationship was in the nature as claimed by her or not may be decided at the trial.

In 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/- (Rupees Ten Thousand Only), 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 and on further condition that the petitioner shall report before the

Investigating Officer once in a month till the conclusion of the investigation and on further condition that 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.

Prayer for anticipatory bail of the petitioner is allowed.

Hence, the application for anticipatory bail is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)