

31.01.2024
ML.589
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5310 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No.**1621 of 2023** dated **08.11.2023** under Sections **417/376/506** of the Indian Penal Code, 1860 (G.R. Case No.5316 of 2023).

And

In the matter of: **Samrat Karmakar**

....petitioner.

Mr. Jisan Iqubal Hossain

...for the petitioner.

Mr. Pravas Bhattacharya
Ms. Sahali Bhar

... 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 acknowledges that there was a relationship between her and the petitioner.

Both the petitioner and the de facto complainant are adults.

The relationship appears to be consensual in nature.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5310 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)