

01.02.2024

644 (ML)
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 5367 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **798 of 2023** dated **22.09.2023** under Sections under Sections 417/376 of the Indian Penal Code.

And

In Re: Dipu Sk @ Sahil Sk

..... petitioner

Mr. Arnab Chatterjee

Mr. Anisur Rahaman

....for the petitioner

Mr. Binoy Kumar Panda

Mr. Arabinda Manna

...for the State

Victim recorded a statement under Section 164 of the Cr.P.C. where she acknowledged that there was a relationship with the petitioner for five years.

Both the petitioner and the victim are adults.

They are supposed to be aware of the consequences of the relationship. As to whether the relationship was entered on the parameters as claimed by the victim 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/-, 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 will 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.)