

06.02.2024

Item No.74

Ct. No. 29

CHC

Allowed

C.R.M.(A) 5511 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **911/23** dated **23.11.2023** under Sections **354C/506/376** of the Indian Penal Code.

And

In the matter of : Tanmoy Sarkar @ Akash

..... petitioner

Mr. Shahan Shah

....for the petitioner

Mrs. Sonali Das

....for the State

Affidavit-of-service filed in Court be taken on record.

None appears of the victim.

Petitioner prays for anticipatory bail.

Victim recorded her statement under Section 164 of the Criminal Procedure Code, where she speaks of an affair with the petitioner. Apparently, the relationship turned sour. Police complaint was lodged subsequently.

Considering the fact that the victim and the petitioner are adults and considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code, 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 will report before the Investigating Officer once in a fortnight till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 5511 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)