

06.02.2024
514(ML)
Ct. No. 29
S.D.

C.R.M.(A) 5591 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **865 of 2023** dated **06.11.2023** under Sections **417/376/325/313/34** of the Indian Penal Code.

And

In Re : Prosenjit Sarkar

..... petitioner

Ms. Minoti gomes

Mr. Sourav Mukherjee

...for the petitioner

Mr. Amanul Islam

...for the defacto-complainant

Mr. Subrata Roy

...for the State

Victim recorded a statement under Section 164 of the Cr.P.C. where she acknowledged that she entered into a relationship with the petitioner. Apparently, the victim was married when the relationship was entered into.

Both the petitioner and the victim are adults.

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 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.)