

19.02.2024

Serial no.87

Anticipatory bail

[Allowed]

Dd

CRM (A) 5625 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Krishnagar Kotwali** Police Station Case No. **1094** of **2023** dated **07.11.2023** under Sections **376/417/354(c)/420/406/34** of the Indian Penal Code, 1860.*

-And-

*In the matter of : **Sourav Acharjee @ Sourav Acharya**
... .. **Petitioner***

*Mr. Dipanjan Chatterjee,
Mr. Snehansu Majumder,
Ms. Rimpa Adhikari, Advocates
... .. For the Petitioner*

*Mr. Sanjib Kr. Dan, Advocate
... ..For the State*

De facto complainant recorded a statement under Section 164 of the Criminal Procedure Code where, she acknowledges that she was in a relationship with the petitioner.

As to whether, the relationship was entered into on the promise as claimed by the de facto complainant 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**.

CRM (A) 5625 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)