

08.09.2020
Sl. No.28
akd
[ALLOWED]

C. R. M. 5376 of 2020 [via video conferencing]
CRAN 1 of 2020 [Old No. CRAN 3697/2020]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 595 of 2019 dated 24.05.2019 under Sections 448/376 of the Indian Penal Code.

And

In Re: **Safikul Sk.**

... .. Petitioner

Mr. Jisan Iqbal Hossain .. Advocate

... .. for the petitioner

Mr. Arijit Ganguly .. Advocate

Mr. Sanjib Kumar Dan .. Advocate

... .. for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

The application being CRAN 1 of 2020 (Old No. CRAN 3697 of 2020) is accordingly, disposed of.

It is submitted on behalf of the petitioner that there is a long standing dispute between the families of the petitioner and the de-facto complainant. It is further submitted that there is delay in lodging the FIR.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submissions made on behalf of the petitioner particularly with regard to delay in lodging the FIR, we are inclined in granting anticipatory bail to the petitioner however, subject to strict conditions.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Safikul Sk.**, 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 not enter the jurisdiction of Berhampore Police Station until further orders except for the purpose of investigation and/or for attending court proceedings and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the concerned police station within whose jurisdiction he shall presently reside once in a week until further orders.

The application for anticipatory bail is, thus, disposed of.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)