

04.09.2020.

41.

as

(Allowed).

C.R.M. 6074 of 2020
With
C.R.A.N.1 of 2020
(Old. No.C.R.A.N.4531 of 2020)
(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Hirapur P. S. Case No.109 of 2020 dated 18.06.2020 under Sections 376/417/313 of the Indian Penal Code.

In the matter of : Md. Zeeshan Ali.

... Petitioner.

Mr. Biswajit Manna,
Mr. Soumya Basu Roy Chowdhury.

...for the Petitioner.

Ms. Zareen N. Khan,
Mr. Mirza Firoj Ahmed Begg.

.....for the State.

Heard the learned Advocates appearing for the parties.

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 conference.

Accordingly, the application, being CRAN 1 of 2020 (Old No. C.R.A.N.4531 of 2020), is disposed of.

It is submitted on behalf of the petitioner that the victim was a major lady and had cohabited out of her free will. There is no direct evidence that the petitioner had administered pills to the victim.

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

Having considered the materials on record and keeping in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner particularly the fact that the victim was a major lady at the time of cohabitation and there is inordinate delay in lodging the first information report since the alleged abortion, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, viz., Md. Zeeshan Ali 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)