

Court No. 11

CRM 6648 of 2020

CRAN 1 of 2020

16.09.2020

(dl. 38)

(S. Banerjee)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Thanarpara Police Station Case No. 231 of 2019 dated 18.12.2019 under Sections 498A/376/511/34 of the Indian Penal Code.

Allowed

And

In the matter of: Rabiul Islam Khan

...petitioner

Mr. Asraf Mandal, Ld. Advocate

... for the petitioner

Ms. Purnima Ghosh, Ld. Advocate

... for the State

The petitioner is the husband of the defacto complainant in a case under Sections 498A/376/511/34 of the Indian Penal Code. So far as the allegation under Section 376/511 of the Indian Penal Code, it is ascertained that such allegation was made against the brother-in-law by the defacto complainant. The said brother-in-law of the defacto complainant was released on bail. It is also ascertained that at the time of alleged torture the petitioner was out of India, working in UAE. The defacto complainant also sent one Talaknama to the petitioner.

Considering all aspects of the matter, we are of the view that for the purpose investigation of this case custodial interrogation of the petitioner is not necessary.

Under such circumstances, prayer for anticipatory bail is allowed.

In the event of arrest, the petitioners may find bail of Rs. 10,000/- (Rupees ten thousand only) with two sureties each of like amount, one of whom shall be a local surety to the satisfaction of the arresting authority subject to the condition contained in Section 438(2) of the Code of Criminal Procedure with further condition that they will file an affidavit stating their present address before the investigating officer and shall

not leave the jurisdiction of the police station without the order of the learned trial court.

CRM 6648 of 2020 and CRAN 1 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Bibek Chaudhuri, J.)