

CRM 7776 of 2020

In Re: An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 30.09.2020 in connection with Daulatabad Police Station Case No. 168 of 2020 dated 07.08.2020 under Sections 498A/323/325/307/34 of the Indian Penal Code.

Mahabul Sk.
Vs.
The State of W. B.

Mr. Amanul Islam
.....For the Petitioner

Mr. Imran Ali
Mr. M. F. A. Begg
.....For the State

The learned counsel for the petitioner submits that within two years of marriage the complainant has made a false complaint against the petitioner.

The learned counsel for the State opposes the prayer for anticipatory bail.

Considering the materials on record and the injury report forming part of the case diary and the nature of allegations and the extent of complicity of the petitioner in the alleged offence, we are of the view that custodial interrogation of the petitioner may not be necessary.

Under such circumstances the anticipatory bail is allowed.

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, one of whom must be local, 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. The petitioner shall attend the court on all dates and shall not leave the jurisdiction of Daulatabad Police Station without the permission of the I. O. or the jurisdictional court.

The trial court is directed to take necessary steps to consider the issue of framing of charges at the earliest and in the event the charge is framed, the trial court is directed to conclude the trial as expeditiously as possible within one week without granting any unnecessary adjournment to either of the parties.

The application for anticipatory bail is, thus, allowed.

In the event he fails to comply with the conditions as enshrined hereinabove, the trial court shall be at liberty to cancel his bail automatically without reference to this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Aniruddha Roy, J.)

(Soumen Sen, J.)