

17.11.2020

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**CRM 7951 of 2020
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Salar P.S. Case No.128 of 2020 dated 03.07.2020 under Sections 376/417 of the Indian Penal Code.

And

In the matter of: **Hasibul Sk @ Sekh Hasibul.**

....Petitioner.

Mr. Somnath Adhikary

...for the Petitioner.

Mr. Ashok Das

...for the State.

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that the petitioner had a relationship with the alleged survivor and there was no question of the petitioner forcing the alleged survivor to have sex with him.

The State relies on the statement of the survivor recorded under Section 164 of the Code. It appears from the statement that the act was consensual, but the survivor claims that the survivor was induced to submit to the petitioner's overtures on the petitioner's promise to marry her.

Considering the material, the immediate detention of the petitioner may not be necessary as long as he cooperates with the investigation till the same is completed.

In the event of arrest, the petitioner will be enlarged on bail on furnishing security of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount, one of whom must be local, to the satisfaction of the Arresting Officer. In addition, the petitioner will abide by the conditions in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM 7951 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)