

21.10. 2020

BR
DL.48

CRM 8316 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Islampur Police Station Case No. 467 of 2020 dated 06.09.2020 under Sections 448/376/511 of the Indian Penal Code.

In the matter of : Mirazul Sekhpetitioner

Mr. Golam Mostafa.
Mr. Samirul Sardar
..for the petitioner.

Ms. Faria Hossain
Ms. Baisali Basu
..for the State.

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

Learned advocate for the petitioner submits that the petitioner is innocent one and he has been falsely implicated in the present case

Learned advocate for the State opposes the prayer for anticipatory bail and produces the case diary.

After perusing the case diary we find that the

victim lady of 39 years refused to be examined by the doctor.

Therefore, in our considered view the petitioner should be granted anticipatory bail.

Accordingly, we allow the prayer for anticipatory bail.

In the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being C.R.M. 8316 of 2020 is disposed of.

(Samapti Chatterjee, J.)

(Aniruddha Roy, J.)