

56 10.12.2020
rkd Ct. No.28
(Allowed)

C.R.M. 10121 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** P.S. Case No. **476 of 2020** dated **12/09/2020** under Sections **498A/325/307/376/354/34** of the Indian Penal Code and under Sections **3/4** of the D. P. Act.

And

In the matter of: Indadul Mia @ Indadul Sk @ Mia
....petitioner.

Mr. A. Rahaman
...for the petitioner.

Mr. T. K. Ghosh,
Mr. P. Bose
...for the State.

It is submitted on behalf of the petitioner that there is two months delay in lodging the first information report and he has been falsely implicated in the instant case due to family dispute.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Allegation of forcible rape is to be considered in the light of the aforesaid submission relating to delay in lodging the first information report. Possibility of false implication owing to family dispute cannot be wholly ruled out. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner 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 also subject to the conditions as laid down under Section 438(2)

of the Code of Criminal Procedure, 1973.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)