

C.R.M. 10550 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Baishnabnagar P. S. Case No.565 of 2017 dated 07.08.2017 under Sections 417/376 of the IPC.

In the matter of : Anikul Islam

... Petitioner.

Mr. Kalidas Saha

...for the Petitioners.

Mr. N.P.Agarwala

Mr. Ashok Das

.....for the State.

It is contended that the victim is a major lady and had consented to cohabitation.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Allegation of rape may be assessed in the light of aforesaid submissions made on behalf of the petitioner. Under such circumstances, we are inclined to grant anticipatory to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 application for anticipatory bail is, accordingly, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J)

