

98 10.01.2020
rkd Ct. No.28
(Allowed)

C.R.M. 320 of 2020

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **09/01/2020** in connection with **Dinhata Women** P.S. Case No. **61 of 2019** date **12/09/2019** under Sections **498A/325/307/109** of the Indian Penal Code.

And

In the matter of: Rahul Hossain

....petitioner.

Mr. S. Guha

...for the petitioner.

Ms. S. Bhar

...for the State.

It is submitted on behalf of the petitioner that the allegation of physical assault on the pregnant women is out and out false.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that the victim was hospitalised.

We have considered the materials in the case diary including the hospital papers. There is no materials to show that the victim was assaulted by the petitioner resulting in her miscarriage. In view of the aforesaid facts and in the light of the aforesaid submission made on behalf of the petitioner, 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that he shall appear before the court below and pray for regular bail within four weeks from date.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)