

20.01.2021

Item No.80

Ct.No.28

dc.

Allowed

C.R.M. 167 of 2021

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Javed Aktar Sk. @ Roki & Ors.**

... Petitioners.

Mr. Manas Kumar Das

... For the Petitioners.

Mr. Md. Anwar Hossain,
Ms. Sreyashee Biswas

... For the State.

Mr. Debapriya Samanta

... For the *de facto* complainant.

Apprehending arrest in connection with Nabagram P.S.
Case No. 207 of 2020 dated 14.08.2020 under Sections
417/376/506/323/34 of the Indian Penal Code, the present
application has been preferred by the petitioners.

On 14th January, 2021, Mr. Hossain, learned advocate
appearing for the State, sought for an adjournment to verify
the authenticity of the marriage certificate, as annexed to the
application.

Today Mr. Hossain has placed before us a report of the
Investigating Officer wherefrom it appears that the marriage
of the petitioner no.1 with the *de facto* complainant stands

registered and incorporated in the Marriage Register. A copy of the said report as produced be kept on record.

The learned advocate appearing for the petitioners submits that the petitioner no.2 is the father of the petitioner no.1 and the petitioner no.3 is the mother of the petitioner no.1. The factum of marriage has also not been disputed by the learned advocate appearing for the *de facto* complainant. In the said conspectus, we are of the opinion that the custodial detention of the petitioners is not necessary.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioners, namely **Javed Aktar Sk. @ Roki, Jamiruddin Sk. and Jamila Khatun** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, one of whom must be local, 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, being CRM 167 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)