

12.04.2021

CRM 764 of 2021

Court No.28

(Via Video Conference)

Item 284

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In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Manikchak Police Station Case No. 383 of 2019 dated 28.09.2019 under Sections 306/34 of the Indian Penal Code.

Md. Sakil Ahmed @ Sk Sakil @ Sakil Sk @ Mohammad Sakil
Versus
The State of West Bengal

Mr. Sagar Saha, Adv.

...for the Petitioner.

Mr. Prasun Kr. Dutta, Adv.
Mr. Subrato Roy, Adv.

...for the State.

The learned Counsel for the petitioner submits that the petitioner is innocent of the charges and admittedly there was relationship between the petitioner and the victim. But subsequently, the marriage did not materialized.

The learned Advocate for the State opposes the prayer for anticipatory bail and submits that the petitioner finally decided not to marry and insulted the victim.

We have perused the materials in the case diary and assessed the statement of the witnesses.

Having regard to the same, we direct the petitioner to surrender before the jurisdictional Magistrate within a period of four weeks from date. In case, the petitioner surrenders before the jurisdictional Magistrate, the learned Court would consider his bail application in accordance with law without being influenced by any observation made in this order. The petitioner shall not be arrested for a period of four weeks which has been granted by this Court for appearing/surrendering before the jurisdictional Magistrate. However, he shall not tamper with the evidence and/or intimidate the witnesses in the meantime and shall meet the investigating officer of the case once a week on and from 20th April, 2021.

If the petitioner violates any of the aforesaid conditions, the investigating officer will be at liberty to make appropriate application for taking the petitioner into custody before the jurisdictional Magistrate.

With the above observation, this matter is disposed of.

All parties shall act on the server copy of the order.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)