

DI. May 19,
24. 2021

Through Video Conference

C.R.M. 1118 of 2021

In the matter of : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on January 27, 2021 in connection with Rejinagar Police Station Case No. 138 of 2019 dated June 9, 2019 under Sections 498A/448/376/34 of the Indian Penal Code;

And

In the matter of : Najmul Sk.	...petitioner.
Versus	
State of West Bengal	...opposite party.

Mr. Jisan Iqbal Hossain,
...for the petitioner.

Mr. Rana Mukhopadhyay,
Ms. Sujata Das,
...for the State.

We have heard the learned advocates appearing for the parties and perused the case diary.

The learned advocate appearing on behalf of the petitioner submits, on instruction, that charge sheet has been submitted only against the father in law of the defacto complainant and not against the present petitioner.

The learned lawyer appearing on behalf of the State submits that charge sheet has been filed against the father in law of the defacto complainant in view of the offence under Section 354 of the Indian Penal Code.

The learned advocate for the petitioner has referred to the order passed by a co-ordinate bench of this court on August 16, 2019 in C.R.M. No. 7445 of 2019, being an application filed by the father in law of the victim housewife, and submits that the father in law had been granted anticipatory bail.

Considering the nature of allegation levelled against the present

petitioner and the extent of complicity of the petitioner in the alleged offence and bearing in mind the fact that charge sheet has already been submitted, we are of the view that custodial interrogation of the petitioner is not necessary.

Under such circumstances, we direct that in the event of arrest of the petitioner, namely, **Najmul Sk.**, he shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand) only with two sureties of like amount, one of whom must be local, to the satisfaction of the arresting officer, subject to the conditions as laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

The application for anticipatory bail is, thus, **allowed**.

dns (Suvra Ghosh, J.)

(Soumen Sen, J.)