

05.08.2021.  
314.  
Akd/As  
(Allowed)

**C.R.M. 1627 of 2021  
(Via Video Conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ratua P.S. Case No.579 of 2020 dated 04.12.2020 under Sections 376/506 of the Indian Penal Code.

In the matter of : Mandul Hoque @ Sk Monirul @  
Monirul Sk.

... Petitioner.

Mr. Arup Sarkar,  
Mr. Debayan Basu,  
Mr. Kaustav Bagchi.

.....for the Petitioner.

Mr. Siladitya Banerjee.

.....for the State.

Apprehending arrest in connection with Ratua P.S. Case No.579 of 2020 dated 04.12.2020 under Sections 376/506 of the Indian Penal Code Code, the petitioner has filed the instant application for anticipatory bail.

It appears that the mother of the present complainant previously lodged a complaint against the petitioner alleging the commission of an offence under Sections 417/325/34 of the Indian Penal Code.

The petitioner was granted bail on 5<sup>th</sup> October, 2020. On the same date, an application was taken out by the present complainant under Section 156(3) of the Code of Criminal Procedure for registration of the case under Sections 376/506 of the Indian Penal Code. There appears to be a long drawn family dispute between the parties as they are related.

We have also perused the statement of the complainant recorded under Section 164 of the Code of Criminal Procedure disclosing certain facts but in view of the facts narrated hereinabove, we do not think that custodial interrogation of the petitioner is at all necessary.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.5,000/-, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the arresting officer and on conditions as enshrined under Section 438(2) of the Code of Criminal Procedure, 1973.

This application for anticipatory bail is, thus, allowed.

The application for anticipatory bail, being CRM 1627 of 2021, is thus disposed of.

**(Harish Tandon, J.)**

**(Bibek Chaudhuri, J.)**