

04.10.2021
SL No.33
Court No.30
(gc)

CRM 3266 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kushmandi Police Station Case No.01 of 2021 dated 02.01.2021 under Sections 341/376/323/506 of the Indian Penal Code.

And
In the matter of : **Abdur Rouf**

- Petitioner.

Mr. Mazhar Hossain Chowdhury,
Mr. Suman Karmakar,
... For the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan,
... For the State.

The learned lawyer appearing for the petitioner submits that the petitioner has been falsely implicated in this case. Two accused persons who are parents of the petitioner have been granted anticipatory bail by a Coordinate Bench in CRM 609 of 2021 on 12th March, 2021. In such conspectus the learned lawyer seeks anticipatory bail for the petitioner.

Mr. Arijit Ganguly, learned Counsel appearing for the State opposes the prayer for anticipatory bail.

We have perused the materials in the Case Diary especially the statement of the victim woman under Section 164 of the Code of Criminal Procedure. As submitted by the learned lawyer appearing for the State, the victim woman refused to undergo any medical examination. Having considered the nature of offence as transpires from the materials in the Case Diary, we think that

there is no need of custodial interrogation of the petitioner. We are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Abdur Rouf**, shall be released on bail upon furnishing a bond of Rs.10,000/-, 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. Besides, the petitioner shall meet the Investigating Officer once in a fortnight until further order.

The application for anticipatory bail, being CRM No.3266 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Rabindranath Samanta, J.)

(Soumen Sen, J.)