

02-12-2021

Item no.58

Subrata

allowed

IN THE HIGH COURT AT CALCUTTA

Criminal Miscellaneous Jurisdiction

CRM No.4895 of 2021

Najrul Haque

-vs-

The State of West Bengal

In Re: An application for anticipatory bail under **Section 438 CrPC** in connection with Chanchal P.S. Case No.901 of 2020 dated October 3, 2020 under sections 498A/323/376D/506 IPC.

Mr. Soupal Chatterjee

...for the petitioner

Mr. Bidyut Kumar Roy

Ms. Rita Datta

... for the State

The petitioner seeks anticipatory bail.

Learned advocate for the petitioner submits that the petitioner was falsely implicated in the case and that there was a divorce between the petitioner and the de facto complainant.

Learned advocate for the State draws the attention of the statement recorded under section 164 CrPC and to the medical report.

Considering the statement recorded under section 164 CrPC and considering the fact that the victim refused to undergo medical examination, we are inclined to grant the petitioner anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000 (Rupees ten thousand only) with two sureties of like amount, to the satisfaction of the arresting officer and also subject to the conditions laid down under section 438(2) CrPC ; and on further condition that the petitioner shall meet the investigating officer once a month and shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

The application for anticipatory bail being CRM No.4895 of 2021 is thus disposed of.

[Debangsu Basak, J]

[Bibhas Ranjan De, J]

