

15.09.2021
Item no.09
Court No.32.
S.De
(Allowed)

(Via Video Conference)

CRM No. 5069 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 02.08.2021 in connection with Santipur Police Station Case No. 294 of 2021 dated 19.05.2021 under Sections 448/376/511 of the Indian Penal Code.

And

In the matter of : Hasu @ Hansnur Sk.

.....Petitioner.

Mrs. Sonali Das, Advocate,

.....for the Petitioner.

Mr. Tanmoy Kr. Ghosh, Advocate,

Ms. Sima Biswas, Advocate,

.....for the State.

The petitioner says that he has been falsely implicated in this case out of political rivalry. The victim is 30 years old and a married lady. He did not do the acts complained of.

The State relies on the statement of the victim lady which we have read. We have also seen the statement of the victim's father-in-law.

On an overall assessment of the material on record and the facts and circumstances of the case, although charge-sheet is yet to be submitted, we are of the view that immediate

custodial interrogation of the petitioner is not necessary so long as he co-operates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner namely **Hasu @ Hansnur Sk.** 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 5069 of 2021 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)