

70 17.11.2021
(AD)
Court No.29
(Allowed)

**C.R.M. 5154 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.08.2021 in connection with **Harishchandrapur** P.S. Case No. **461 of 2021** dated **21/06/2021** under Section **376** of the Indian Penal Code (G.R. Case No.1383 of 2021).

And

In the matter of: Umar Faruque

....petitioner.

Mr. Minoti Gomes

...for the petitioner.

Mr. Bidyut Kumar Roy

Ms. Rita Datta

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. More over, since the police submitted charge sheet, custodial interrogation of the petitioner is not required.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure of the victim and her husband.

Considering the materials in the case diary and considering the fact that the police submitted charge sheet, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that he shall appear before the jurisdictional Court on the dates fixed for trial and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 5154 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)