

02.12.2021

Court No.29
Item No.80
(Allowed)

Saswata

CRM 5341 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Karandighi Police Station Case No. 278 of 2021 dated 10.06.2021 under Section 376 of the Indian Penal Code;

And

In the matter of : **Jalaluddin**

...Petitioner

Mr. Sk. Hossain Ali

...For the Petitioner

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

...For the State.

The petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the police complaint is as a result of a tenancy dispute between the tenant and landlord. The petitioner is the landlord.

Learned advocate for the State draws the attention of the Court to the medical report and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the medical report and considering the relationship between the victim and the petitioner, herein, as landlord and tenant, we grant anticipatory bail to the petitioner.

The prayer for anticipatory is, thus, ***allowed***.

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 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 the petitioner shall meet the Investigating Officer once in a month until the conclusion of the investigation.

(Debangsu Basak, J.)

(Bibahas Ranjan De, J.)