

02.12.2021

Court No.29
Item No.90
(Allowed)

Saswata

CRM 5519 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Harishchandrapur Police Station Case No. 530 of 2021 dated 17.07.2021 under Sections 448/376 of the Indian Penal Code;

And

In the matter of : **Aiyub Ali @ Ayub Ali**
...Petitioner

Ms. Sujata Das
...For the Petitioner

Mr. Md. Kutubuddin
...For the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned advocate appearing 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 fact that the victim refused to medical examination, 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.)

