

16.09.2021

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Ct. No. 29

sdas

Allowed

**C.R.M. 5791 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chopra Police Station Case No. 304 of 2021 dated 17.05.2021 under Sections 493/376/323/379/506/34 of the Indian Penal Code.

And

In Re : Ansar Rahaman @ Ansarul Haque petitioner

Ms. Sukanya Adhikary

.....for the petitioner

Mrs. Sukanya Bhattacharya

Mr. Nirupam Dhali

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that there is long standing relationship in between the petitioner and the defacto complainant resulting in the defacto complainant falsely implicating the petitioner in the instant case. He also submits that the defacto complainant did not undergo a medical examination.

Learned advocate appearing for the State draws attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure made by the defacto complainant.

Considering the facts and circumstances of the case and considering the statement recorded under Section 164 of the

Code of Criminal Procedure and the fact that apparently there was a relationship in between the accused and the defacto complainant, we are inclined to 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner shall meet the investigating officer once in a week until further orders and shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)