

17.09.2021

BM

(Through Video Conference)

CRM 6078 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **07.09.2021** in connection with **Usthi** Police Station Case No. **340** of **2018** dated **26.08.2018** under Sections **376/417** of the Indian Penal Code, 1860.

-And-

In the matter of : **Rafikul Hasan Sekh @ Rafikul Sk.**

...Petitioner

Mr. Debanshi Brahma,

Mr. Sagnik Mukherjee

... .. For the Petitioner

Mr. Imran Ali

Mr. M.F.A Begg

... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the complaint is result of a love relationship going sour. Moreover, since the Police submitted charge sheet custodial interrogation of the petitioner may not be required.

Learned advocate appearing for the State draws the attention of the court to the statements recorded under Section 164 of the Code of Criminal Procedure of the defacto complainant. He submits that Police submitted charge sheet.

Considering the facts and circumstances of the case and considering the statements recorded under Section 164 of the Code of Criminal Procedure 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 anticipatory 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that Petitioner will appear before the jurisdictional court on the date fixed for trial.

The prayer for anticipatory bail is, thus, **allowed**.
CRM 6078 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)