

17.11.2021

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Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M. 7322 of 2021**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Falta** Police Station Case No. **14** of **2021** dated **17.01.2021** under Section 376 of the Indian Penal Code, 1860.

And

In Re : Murshid Alam Sk. @ Mursid Alam Seikh

..... petitioner

Mr. Pratip Mukherjee

Mr. Omar Faruk Gazi

....for the petitioner

Mr. Sandip Chakraborty

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the de-facto complainant was in custody for about a month on the complaint of the petitioner. One day after the alleged incident, the de-facto complainant went to the Court for commitment. Learned advocate appearing for the State draws the attention of the Court to the contents of the case diary and the statement recorded under Section 164 of the Code of Criminal Procedure.

Considering the materials in the case diary and considering the statement recorded under Section 164 of the Code of Criminal Procedure and considering complicity of the

petitioner in the alleged incident, 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 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 month until further orders and on condition that the petitioner shall appear before the jurisdictional court on every date fixed 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.)**