

19.05.2021
SL No.7
Court No.28
(gc)

CRM 10593 of 2020
(Via video Conference)

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.774/2020 dated 08.11.2020 under Sections 448/376/506 of the Indian Penal Code.

And

In the matter of : **Mijanur Rahaman**

- Petitioner

Mr. Kalidas Saha,
... For the Petitioner.

Mr. S.S. Imam,
Mr. N.P. Agarwala,
... For the State.

The learned Counsel for the petitioner submits that there is a love relationship between the petitioner and the complainant which was not approved by the husband of the victim and due to the pressure of the husband of the victim, a false complaint has been lodged against the petitioner.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail.

Considering the materials available on record and the nature and extent of involvement of the present petitioner in the commission of alleged offence and also having regard to the fact that the contention of the petitioner suggests that the victim and the petitioner were in a love relationship, we are of the opinion that the custodial interrogation of the petitioner is not required. Accordingly, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Mijanur Rahaman**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, 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.

It is also directed that the petitioner shall meet the Investigating Officer of the case once in a week until further orders and shall cooperate with the investigation.

This order of anticipatory bail will remain in force for a period of four weeks from date within which period, the petitioner shall pray for regular bail before the Jurisdictional Court. The Jurisdictional Court shall consider the said application for bail independent of any observation made by us in this order.

With the aforesaid observation, the application for anticipatory bail, being CRM No.10593 of 2020 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J.)

(Soumen Sen, J.)