

23
03.02.2021
p.b./rrc

C.R.M. 184 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Matigara Police Station Case No. 987 of 2020 dated 11.09.2020 under Sections 493/376/323/506/34 of the Indian Penal Code.

In the matter of : **Sk. Rahul**

... **petitioner**

Mr. Biprajit Das

.....For the petitioner

Mr. Abhijit Sarkar
Mr. A. Biswas

.....For the State

The petitioner undertakes to affirm and stamp the application as per the rules within 48 hours. The application is taken up on the basis of such undertaking.

The facts as submitted on behalf of the petitioner and the State show that the petitioner and the de-facto complainant were involved in a relationship and subsequently got married which was opposed by the family members of the petitioner. It also appears that even though the alleged offence took place some time in September, 2020, no steps were taken by the State to apprehend the petitioner. Admittedly, both the petitioner and the de-facto complainant are adults. The medical report also does not indicate any fact which would persuade us to detain the petitioner.

We are hence of the opinion that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties each of like amount, one of whom

must be local. This condition should be to the satisfaction of the arresting officer and the petitioner shall be subject to the conditions under Section 438(2) of the Code of Criminal Procedure. The petitioner shall make himself available before the court below as and when it is required.

CRM 184 of 2021 is allowed and disposed of.

(Md. Nizamuddin, J.)

(Moushumi Bhattacharya, J.)