

31.01.2022

22

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 422 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Asansol Woman** Police Station Case No. **02** of **2022** dated **01.01.2022** under Sections 417/376 of the Indian Penal Code, 1860.

And

In Re : Syed Atique Ur Rahman @ Sayed Atiqur Rahaman
..... petitioner

Mr. Arnab Saha
....for the petitioners

Ms. Anusuya Sinha
Mr. Pinak Kumar Mitra
....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The police complaint is a result of a relationship going sour.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statement recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) of the victim.

Considering the fact that the victim in her 164 Cr. P.C. statement admits their previous relationship and considering the gravity of the offence and the involvement of the petitioner therein, 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 condition that the petitioner shall meet the Investigating Officer once in a month till the conclusion of the investigation 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.)

(Bibhas Ranjan De, J.)