

CRM (A) 838 of 2022

In re: An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 15.02.2022 in connection with Harishchandrapur P.S. Case No. 425 of 2019 dated 13.07.2019 under Sections 447/376/323/506/34 of the Indian Penal Code.

-And-

In the matter of : **Sadin Ali**

... ..Petitioner

Ms. Minoti Gomes, Advocate

Mr. Debayan Ghosh, Advocate

... .. For the Petitioner

Mr. Avishek Sinha, Advocate

... .. For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The police filed complaint is a result of a previous relationship turned sour.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the fact that the victim in her statement recorded under Section 164 of the Code of Criminal Procedure acknowledges her relationship with the petitioner and considering the gravity of the offence and the involvement of the petitioner therein, we are inclined to 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/- (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 condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including

cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail is allowed.

CRM (A) 838 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)