

**22.02.2022**

Sl. 6  
Court No.29  
sourav  
(Allowed)

**C.R.M. (A) 849 of 2022**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **16.02.2022** in connection with **Nowda** P. S. Case No. **16** of **2022** dated **13.01.2022** under Sections **498A/376/34** of the Indian Penal Code.

And

In the matter of: **Rafiul Sk @ Laltu Sk**

....petitioner.

Mr. Kingsuk Mondal

...for the petitioner.

Mr. Saswata Gopal Mukherji

Ms. Debjani Sahu

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that there is a previous police complaint lodged by the family of the petitioner. The brother of the petitioner applied for restitution of conjugal rights against the defacto complainant.

A report filed in Court on behalf of the State be taken on record.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the victim and her statement recorded under Section 164 of the Criminal Procedure Code.

Considering the fact that there is a previous police complaint against the family of the defacto complainant filed by the family of the petitioner and considering the fact that the brother of the petitioner filed a proceeding for restitution of conjugal rights against the defacto complainant 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 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 appear before the Investigating Officer once a fortnight till the conclusion of the investigation and that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

**C.R.M. (A) 849 of 2022** is, thus, disposed of.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**

