

CRM (A) 1213 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 09.03.2022 in connection with Islampur Police Station Case No. 696 of 2021 dated 23.09.2021 under Sections 417/376/323/506/34 of the of the Indian Penal Code.

-And-

In the matter of : **Mahasim Akhtar @ Md. Mohsin Alam**
... ...Petitioner

Mr. Nazar Chowdhury, Advocate

Ms. Priyanka Saha, 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. There was a relationship between the petitioner and the de facto complainant which 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 and to her medical report. He submits that there was a termination of pregnancy.

The police are not investigating under Section 313 of the Cr.P.C. as appearing from the first information report.

Be that as it may, the victim acknowledges a relationship between herself and the petitioner in her statement recorded under Section 164 of the Code of Criminal Procedure.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, 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 will report before the Investigating Officer once in fortnight till the conclusion and on condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM (A) 1213 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)