

**29.03.2022**  
Sl. 10  
Court No.29  
sourav  
(Allowed)

**C.R.M. (A) 1409 of 2022**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **23.03.2022** in connection with **English Bazar** P. S. Case No. **18** of **2022** dated **27.01.2022** under Sections **417/376** of the Indian Penal Code.

And

In the matter of: **Habib Sk**

....petitioner.

Mr. Arup Kumar Bhowmick,

...for the petitioner.

Mr. Sudip Kumar,

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that there was a previous relationship between the defacto complainant and the petitioner. Such relationship turned sour and, therefore, the present police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code. He also draws the attention of the Court to the medical report of the victim.

Considering the fact that there was a relationship between the petitioner and the victim 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/- (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 a fortnight till the

conclusion of the investigation 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.

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

**C.R.M. (A) 1409 of 2022** is, thus, disposed of.

**(Debangsu Basak, J.)**

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

