

01.04.2022

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Ct. No. 29

KAUSHIK

Allowed

**C.R.M.(A) 1505 of 2022
(through Video Conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chopra** Police Station Case No. **334** of **2021** dated **29.05.2021** under Sections 493/376 of the Indian Penal Code, 1860.

And

In Re : Hasan Ali

..... petitioner

Mr. Sanjoy Majumdar

....for the petitioner

Mr. Tanmoy Kumar Ghosh

Ms. Sonali Bhar

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the police complaint is a result of a previous relationship turning sour.

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

Considering the fact that the victim in her 164 Cr.P.C. statement admits the previous relationship between her and the petitioner and considering the gravity of the offence and the involvement of the petitioner in the incident and considering the

fact that both petitioner and the victim are adults, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

