

26.04.2022
Serial no.14
Aloke

CRM (A) 1868 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 114 of 2022 dated 26.02.2022 under Sections 376/417/34 of the Indian Penal Code.

In the matter of : **Najmul Shaikh alias Nazmul Shaikh**
... .. Petitioner

Mr. Atis Kr. Biswas, Advocate
Mr. Amit Singh, Advocate
Mr. Jyoti Agarwal, Advocate

... .. For the Petitioner

Mr. Imran Ali, Advocate
Mr. M.F.A. Begg, Advocate

... ..For the State

Petitioner prays for anticipatory bail.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure where she acknowledges the relationship between her and the petitioner and considering the fact that the victim is an adult and considering the materials in the case diary 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 also be 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 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.

The prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 1868 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)