

41 17.05.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 2211 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** P.S. Case No.**265 of 2022** dated **06/04/2022** under Sections **417/376** of the Indian Penal Code, 1860 vide G.R. No.786 of 2022.

And

In the matter of: Rubel Ali @ Md. Rubel

....petitioner.

Ms. Sujata Das

...for the petitioner.

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. There was a love relationship between the petitioner and the victim.

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.

The victim is an adult. In her statement recorded under Section 164 of the Code of Criminal Procedure, she acknowledges a relationship between her and the petitioner.

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 where she acknowledges her relationship with the petitioner, 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 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 will report before the Investigating Officer once 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 2211 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)