

14.02.2022
Serial no. 93
Dd

CRM 3984 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Maheshtala** Police Station Case No. **287** of **2020** dated **01.06.2020** under Sections **417/376/447/506** of the Indian Penal Code.

-And-

In the matter of : **Afjal Hossain Mali @ Afjal Mali**
... **Petitioner**

Mr. Sarwar Jahan,
Sk. Abumusa, Advocate
... ... For the Petitioner

Mr. S. S. Imam,
Mr. Subrato Roy, Advocate
... ...For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the police complaint is a result of a pre-existing relationship going sour. In fact, the de facto complainant lodged a subsequent complaint against another person within six months of the present complaint on the same ground.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Criminal Procedure Code. He submits that the police case is of 2020.

Considering the statements recorded under Section 164 of the Criminal Procedure Code of the de facto complainant where she admits the relationship between her and the petitioner 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 further condition that the petitioner shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioner shall meet the Investigating Officer once in a month till completion of investigation.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM 3984 of 2021 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)