

16.06.2022
Sl. No.110
akd
[ALLOWED]

C. R. M. (A) 2690 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 09.06.2022 in connection with Basanti Police Station Case No. 519 of 2021 dated 04.09.2021 under Sections 498A/376/506/354C/34 of the Indian Penal Code.

And

In Re: ***Raich Khan***

... .. Petitioner

Mr. Gobinda Chandra Baidya

... .. for the petitioner

Mr. Imran Ali

Ms. Debjani Sahu

... .. for the State

It is submitted on behalf of the petitioner that the instant case was registered in retaliation to *talaq* pronounced by the son of the petitioner.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. It is alleged that the victim-housewife was raped from 2018. She however, kept quiet and instituted the present case only when *talaq* was pronounced against her. In view of the inordinate delay seeking legal redress, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Raich Khan***, 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 shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)