

C.R.M. (A) 2811 of 2022

23.06.2022
Sl. 6
Court No.29
(AD)
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **428** of **2022** dated **27.05.2022** under Sections **417/376/420/406** of the Indian Penal Code, 1860.

And

In the matter of: **Habil Sk**

....petitioner.

Mr. Sabir Ahmed
Mr. Mujibar Ali Naskar
Mr. Shraman Sarkar

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. Partha Pratim Das
Ms. Manasi Roy

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that there was prior relationship which turned sour resulting in the present police complaint.

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.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure where she acknowledges the relationship and considering her age, 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 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 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 2811 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)