

17.06.2022
Sl. No.146
akd
[ALLOWED]

C. R. M. (A) 2840 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 Kotwali (Krishnanagar) Police Station Case No. 362 of 2022 dated 11.04.2022 under Sections 417/376 of the Indian Penal Code.

And

In Re: ***Kobirul Islam @ Kobirul Islam Mondal***

... .. Petitioner

Ms. Minoti Gomes

... .. for the petitioner

Mr. Sujan Chatterjee

... .. for the State

Heard the learned advocate appearing for both the parties.

We have considered the materials on record. Victim was a major lady at the time of cohabitation and was aware of the consequences thereof. In view of the aforesaid fact, 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 ***Kobirul Islam @ Kobirul Islam Mondal***, 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.)

