

20.06.2022  
Serial no. 52  
Aloke

**CRM (A) 2910 of 2022**

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal Police Station Case No. 592 of 2022 dated 07.06.2022 under Sections 109 and 376 of the Indian Penal Code.

-And-

In the matter of : **Md. Nasim Ali**

... .. Petitioner

Mr. Angshuman Chakraborty, Advocate

Mr. Soupal Chatterjee, Advocate

Mr. Sashanka Sekhar Saha, Advocate

... .. For the Petitioner

Mr. Iqbal Kabir, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The de facto complainant is the second wife of the petitioner. The petitioner gifted a portion of the immovable property to the first wife and the son out of the first marriage resulting in the present police complaint being lodged at the instance of the second wife.

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 and considering the materials in the case diary, 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 report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 2910 of 2022 is disposed of.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**