

23.08.2022
Serial no.29
Aloke

CRM (A) 4016 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 701 of 2022 dated 07.08.2022 under Sections 417/376 of the Indian Penal Code.

-And-

In the matter of : **Raihan Ali @ Md. Nihal Parvej**

... .. Petitioner

Ms. Sabnam Laskar, Advocate

... .. For the Petitioner

Ms. Ratna Ghosh, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

The victim recorded a statement under Section 164 of the Code of Criminal Procedure where she acknowledged a relationship with the petitioner. The victim and the petitioner are adult. The victim refused to undergo medical examination.

In such circumstances, 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 condition that the petitioner shall meet the Investigating Officer as and when called for till the conclusion of the investigation and on further condition that the petitioner shall appear on every date 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) 4016 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)