

24.08.2022
Serial no.37
Aloke

CRM (A) 4051 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. 501 of 2022 dated 21.06.2022 under Sections 448/376/506 of the Indian Penal Code.

-And-

In the matter of : **Firoj Ali**

... .. Petitioner

Mr. Kallol Mondal, Advocate

Ms. Sabnam Laskar, Advocate

... .. For the Petitioner

Mr. Narayan Prasad Agarwala, Advocate

Ms. Subhasree Patel, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that there was a relationship between the petitioner and the de facto complainant. The de facto complainant was forced to lodge the complaint. The petitioner was falsely implicated.

The learned Advocate appearing for the State draws the attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and her medical examination report.

Considering the materials in the case diary and considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the fact that the issue of false implication remains, 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 once in a

fortnight 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) 4051 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)