

05.09.2022

Sl.61

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4238 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Noapara** Police Station Case No. **259 of 2022** dated **10.08.2022** under Sections**325/376/354B/380/384/387/406/440/448/504/506/509/120B** of Indian Penal Code corresponding to GR Case No.7716 of 2022.

And

In the matter of: **Sk Moniruddin**

....petitioner.

Mr. Sanat Kumar Das

Mr. Sujan Chatterjee

...for the petitioner.

Ms. Zareen N. Khan

Md. Kutubuddin

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner draws the attention of the Court to a report dated August 22, 2022 submitted by the Investigating Officer before the jurisdictional Court.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary.

In reply to the query of the Court, learned Advocate appearing for the State submits that the victim did not record a statement under Section 164 of the Code of Criminal Procedure.

The report of the Investigating Officer dated August 22, 2022 points out the discrepancies in the version of the de facto complainant.

In such circumstances, 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 fortnight till the conclusion of the investigation and on 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.

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

C.R.M. (A) 4238 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)