

15.09.2022

Sl.7

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4411 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** Police Station Case No. **395** of **2022** dated **30.08.2022** under Sections **417/376/506** of the Indian Penal Code, 1860, (corresponding to G.R. Case No.2814 of 2022).

And

In the matter of: **Motiur Rahaman @ Motiur Rahman**

....petitioner.

Mr. Ali Ahsan Alamgir

Mr. A.H. Molla

Ms. Rabia Khatoon

...for the petitioner.

Mr. Sujan Chatterjee

...for the State.

Petitioner prays for anticipatory bail.

The petitioner and the de facto complainant are adults.

Both are married.

The de facto complainant refused to undergo medical examination.

In her statement recorded under Section 164 of the Code of Criminal Procedure, the de facto complainant admits that she was in a relationship with the petitioner.

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 as and when called for 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) 4411 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

