

28.09.2022
Serial no. 86
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 4670 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. **764** of **2022** dated **13.07.2022** under Sections **493/417/313/109** of the Indian Penal Code (Corresponding to G.R. case No. **1770/2022**)

-And-

In the matter of : **Sahidul Islam @ Sahidul Islam**
... .. Petitioner

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Arup Sarkar,, Advocates
... .. *For the Petitioner*

Mr. Pratick Bose,
Mr. Narayan Prasad Agarwal, Advocates
... ..*For the State*

There is a statement of the victim recorded under Section 164 of the Criminal Procedure Code where, the victim claims that she was ravished initially and, thereafter, the petitioner refused to marry her.

There is medical report of the victim where, Doctor records that, the petitioner and the victim were in a physical relationship with consent of each other.

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 further

condition that the petitioner shall report before 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) 4670 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)