

CRM (A) No. 4874 of 2022

In re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with **Pukhuria Police Station Case No. 343 of 2022 dated 17.08.2022 under Sections 448/376/506 of the Indian Penal Code and read with Section 25 of the Arms Act, 1956.**

- A n d -

In the matter of : Sk. Asitul

.... Petitioner

Mr. Rana Mukhopadhyay
Mr. Rhiddhiman Mukherjee

... For the Petitioner

Mr. Anowar Hossain
Mr. Asif Dewan

..For the State

Petitioner prays for grant of anticipatory bail and pleads that he has been falsely implicated. It has been submitted on behalf of the petitioner that FIR was lodged after 13 days of the alleged incident. Petitioner also prays for grant of anticipatory bail on imposition of stringent condition.

The prayer for anticipatory bail has been opposed by the State.

The relevant materials available in the case diary have been produced before us from where it appears from the medical report that the victim was not certain about the date of occurrence of the alleged incident. It also appears from the said medical report that there was allegation of false promise on the part of the petitioner to marry the victim.

We have considered the materials available on record and also taking into account the extent of complicity of the petitioner in the commission of alleged offence, we find that custodial interrogation of the petitioner is not necessary.

In the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of like amount, one of whom must be local and to the satisfaction of Arresting Officer. The petitioner shall also comply with the conditions under Section 438 (2) of the Cr. P.C. and shall make himself available before the investigating officer as and when necessary.

If the petitioner fails to comply with the aforesaid conditions the Court below shall be at liberty to cancel the anticipatory bail without reference to this Court.

The application being CRM (A) 4874 of 2022 stands allowed and disposed of.

(Saugata Bhattacharyya, J.)

(Moushumi Bhattacharya, J.)