

10.11.2022

24

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5149 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bagnan** Police Station Case No. **480** of **2022** dated **10.09.2022** under Sections 376/420/406/34 of the Indian Penal Code, 1860.

And

In Re : Sk. Julfikar Ali

..... petitioner

Mr. Goutam Banerjee

Mr. Anjan Dutta

Ms. Priya Dey

....for the petitioner

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

....for the State

Apparently, there was a relationship between the victim and the petitioner.

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure claims that, there was a physical relationship on the promise of marriage.

Both the victim and the petitioner are adults and they are supposed to be aware of the consequences of the relationship.

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/-, 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 meet the Investigating Officer once a week 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)