

15.11.2022
Serial no.13
Aloke

CRM (A) 5189 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. 912 of 2022 dated 08.08.2022 under Sections 417/493/376/34 of the Indian Penal Code.

-And-

In the matter of : **Babul Ali @ Kabul Ali**

... .. Petitioner

Ms. Minoti Gomes, Advocate

Mr. Sourav Mukherjee, Advocate

... .. For the Petitioner

Mr. Joydeep Roy, Advocate

Mr. Amanul Islam, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

The petitioner and the victim are adults. The victim in her statement recorded under Section 164 of the Code of Criminal Procedure acknowledges a past relationship. The victim refused to undergo any medical examination.

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 condition that the petitioner will report to the Investigating Officer once in a month 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) 5189 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)