

17.11.2022

Sl.41
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5274 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **280 of 2022** dated **05.08.2022** under Sections **498A/313/325 & 34** of the Indian Penal Code.

And

In the matter of: **Rabiul Sk**

....petitioner.

Mr. Sumanta Das

...for the petitioner.

Ms. Ratna Ghosh

...for the State.

Petitioner prays for anticipatory bail.

The police complaint was lodged after sixteen years of marriage.

There are two children born out of the wedlock. One of such children recorded a statement under Section 161 of the Code of Criminal Procedure.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the statement of such child recorded under Section 161 of the Code of Criminal Procedure, 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 once a month 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) 5274 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)