

25.11.2022

Sl.19

Court No.29

(AD)

(Allowed)

C.R.M. (A) 5455 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **830 of 2022** dated **11.09.2022** under Sections **417/376/506** of the Indian Penal Code, vide G.R. Case No.2539 of 2022.

And

In the matter of: **Sohel Mia alias Hiraj Mia**

....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Mr. S.S. Imam

Mr. Arabinda Manna

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the police complaint is a result of a love relationship turning sour.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the code of Criminal Procedure. He submits that the victim refused to undergo medical test.

Apparently, the victim is an adult and is married to a different person.

The 164 statement of the victim suggests that there was a relationship between her and the petitioner and that apparently, the petitioner promised to marry her.

As noted above, she is already married to a different person.

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/- (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) 5455 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)