

**06.12.2022**  
**Serial no. 29**  
[Dd]  
(Anticipatory bail)  
**Allowed**)

**CRM (A) 5674 of 2022**

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Basirhat** Police Station Case No. **660** of **2022** dated **04.10.2022** under Sections **376** of the Indian Penal Code.

**-And-**

In the matter of : **Sahanoor Gazi**

... .. Petitioner

*Mr. Kallol Kr. Basu,*  
*Md. Jannat Ul Firdous,*  
*Ms. Titni Mazumder, Advocates*  
... .. *For the Petitioner*

*Mr. Sujan Chatterjee, Advocate*  
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the de facto complainant is married to a different person. She voluntarily entered into a relationship with the petitioner. Thereafter, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code and to medical examination report.

The victim in her statement recorded under Section 164 of the Criminal Procedure Code states that she was raped. She also claims that the petitioner blackmailed her with offensive pictures of her. She claims that when she started to shout, the petitioner assaulted her husband and fled away.

There is no injury report of the husband of the de facto complainant in the case diary to corroborate the claim that husband was assaulted.

The medical examination report of the victim does not state that the victim suffered any injury.

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

In her statement recorded under Section 164 of the Criminal Procedure Code, she admits that they were in a relationship for the past three months at least.

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 further condition that the petitioner shall report before 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) 5674 of 2022 is disposed of.**

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**