

12.12.2022

Sl.16
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5723 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **1237 of 2022** dated **04.10.2022** under Sections **419/376/323/506/34** of the Indian Penal Code (Corresponding to GR Case No.2549 of 2022).

And

In the matter of: **Saddam Ali**

....petitioner.

Mr. Kaushick Chowdhury
Ms. Busra Khatun

...for the petitioner.

Mr. Debabrata Chatterjee, Ld. APP
Ms. Mausumi Sarkar

...for the State.

Mr. Pronojit Roy

... for the de facto complainant.

Petitioner prays for anticipatory bail.

The statement of the victim recorded under Section 164 of the Code of Criminal Procedure claims that the petitioner indulged in physical relationship with her on the promise of marriage.

Petitioner, State and the de facto complainant are represented.

Apparently, there was a marriage proposal between the two adults.

The claim is of a physical relationship after the marriage proposal was settled.

Thereafter, apparently, it is claimed that the petitioner did not agree to marry.

Both are adults.

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) 5723 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)