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(AD) 12.12.2022

Court No.29
(Allowed)

C.R.M. (A) 5755 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.**1104 of 2022** dated **15/09/2022** under Sections **417/376** of the Indian Penal Code, 1860.

And

In the matter of: **Rabiul Islam**

....petitioner.

Ms. Minoti Gomes
Ms. Subnam Laskar

...for the petitioner.

Mr. Joydeep Roy
Mr. Amanul Islam

...for the State.

Petitioner prays for anticipatory bail.

The police filed charge sheet.

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

Considering the facts and circumstances of the case and considering the fact that the parties involved are adults and considering the fact that the police filed charge sheet, 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5755 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)