

15.12.2022

Sl.13

Court No.29

(sp)

(Allowed)

C.R.M. (A) 5827 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bamongola** Police Station Case No. **248 of 2022** dated **18.10.2022** under Sections **376/417** of the Indian Penal Code.

And

In the matter of: **Rafayel Hembram alias Rafel Hembram**

....petitioner.

Mr. Susnigdho Bhattacharyya

...for the petitioner.

Mr. Anwar Hossain

Ms. Monisha Sharma

...for the State.

Petitioner prays for anticipatory bail.

The petitioner and the de facto complainant are adults.

The de facto complainant recorded a statement under Section 164 of the Code of Criminal Procedure, where she acknowledged that there was a relationship between her and the petitioner.

Apparently, such relationship turned sour.

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

fortnight 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) 5827 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)