

16.12.2022
Serial no.6
Aloke

CRM (A) 5849 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Ratua Police Station Case No. 275 of 2022 dated 26.05.2022 under Sections 448/376D/511 of the Indian Penal Code.

-And-

In the matter of : **Najmul @ Najibul Hoque**

... .. Petitioner

Ms. Minoti Gomes, Advocate

Ms. Sabnam Laskar, Advocate

... .. For the Petitioner

Mr. Noguive Ahmed, Advocate

Ms. Jonaki Saha, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

There is a civil suit pending between the petitioner and the de facto complainant. There is an issue of false implication.

The de facto complainant refused to undergo any medical examination.

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 condition that the petitioner will 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) 5849 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)