

20.12.2022
Serial no.33
Aloke

CRM (A) 5906 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Daulatabad Police Station Case No. 250 of 2022 dated 14.11.2022 under Sections 448/354/509/376 of the Indian Penal Code.

-And-

In the matter of : **Abibul Islam @ Ripon Sk**

... .. Petitioner

Mr. Somnath Adhikary, Advocate

... .. For the Petitioner

Mr. Anowar Hossain, Advocate

Ms. Ratna Ghosh, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

There is a statement recorded under Section 164 of the Code of Criminal Procedure which does not suggest that the ingredients of Section 376 of the Indian Penal Code, 1860 stands attracted.

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) 5906 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)