

20.01.2023

Sl.10
Court No.29
(AD)
(Allowed)

C.R.M. (A) 285 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ekbalpore** Police Station Case No. **135 of 2022** dated **13.04.2022** under Sections **376D/379/341/506/34** of the Indian Penal Code, 1860.

And

In the matter of: **Md. Shamim**

....petitioner.

Mr. Satadru Lahiri
Mr. Syed Wasim Faruque

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Manoranjan Mahata

...for the State.

Petitioner prays for anticipatory bail.

The cousin sister of the petitioner lodged proceedings, *inter alia*, under Section 498A of the Indian Penal Code, 1860 prior in point of time against the de facto complainant and the family members of the de facto complainant.

The issue of false implication of the petitioner cannot be overlooked at this stage.

Number of police complaints were filed as against the petitioner.

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) 285 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)