

13.02.2023
Serial no. 10
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 613 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **G.R. Case No. 2387 of 2022** arising out of **Itahar** Police Station Case No. **488** of **2022** dated **10.09.2022** under Sections **448/376/506** of the Indian Penal Code.

-And-

In the matter of : **Saleur Rahaman**

... .. Petitioner

Mr. Amit Ranjan Pati,
Mr. Ashok Halder,
Ms. Reshmi Mukherjee,
Mr. Nilangsu Samanta, Advocates
... .. *For the Petitioner*

Mr. Bidyut Kr. Roy,
Ms. Sima Biswas, Advocates
... ..*For the State*

There is a previous police complaint against the petitioner, *inter alia*, under Section 498A of the Criminal Procedure Code, 1860 where, police filed charge sheet without implicating the petitioner.

Present police complaint was lodged subsequent thereto.

The materials in the case diary in the given facts and circumstances of the present case does not suggest requirement of custodial interrogation of the petitioner.

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 further condition that the petitioner shall report before the Investigating Officer once in a fortnight 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) 613 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)