

23.03.2023

Sl.12

Court No.29

(AD)

(Allowed)

C.R.M. (A) 1186 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No.**1019 of 2021** dated **08.12.2021** under Sections **498A/376/406/323/34** of the Indian Penal Code and under Section **4** of the Dowry Prohibition Act corresponding to G.R. Case No.3185 of 2021.

And

In the matter of: **Majahar Khan**

....petitioner.

Mr. Pankaj Halder
Mr. Sanatam Panja
Mr. Tapas Manna

... for the petitioner.

Mr. Gautam Banerjee

...for the State.

Petitioner prays for anticipatory bail.

The de facto complainant in her statement recorded under Section 164 of the Code of Criminal Procedure alleged the torture being meted out by her in-laws. She also claims that the in-laws forced her into a room with the present petitioner where, apparently a physical relationship was entered into.

The de facto complainant refused to undergo medical examination.

Her claims as against the present petitioner remain uncorroborated at this stage from the materials in the case diary.

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) 1186 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)