

28.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1262 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar Women** Police Station Case No. **17** of **2022** dated **26.01.2022** under Sections 417/376 of the Indian Penal Code, 1860 with added Sections 306/109 of the Indian Penal Code, 1860.

And

In Re : Abdul Azim Golam Rahi Sultan

..... petitioner

Mr. Atarul Hoque Molla

Ms. Riya Das

....for the petitioner

Mr. Imran Ali

Ms. Debjani Sahu

....for the State

Police filed charge-sheet.

The victim, apparently, committed suicide.

There is a statement recorded by the victim prior to her death where, she claims that, the petitioner told her mother that whatever the doctor co-accused did to her was correctly done. You do whatever you can. It is subsequent thereto, the victim committed suicide.

In the same statement, the victim claimed that the doctor co-accused took her to Farakka on the promise of marriage and did not subsequently marry her.

The doctor co-accused was enlarged on anticipatory bail.

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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)