

13.04.2023

Sl.15
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1543 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No.**99 of 2023** dated **25.01.2023** under Sections **448/376/323/34** of the Indian Penal Code, 1860 (Corresponding to G.R. No.209 of 2023).

And

In the matter of: **Salomgir Ajam Sarkar @ Munna**

....petitioner.

Mr. Atanul Hoque Molla
Ms. Riya Das

... for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Sujan Chatterjee

...for the State.

Petitioner prays for anticipatory bail.

In her statement recorded under Section 164 of the Code of Criminal Procedure, the victim acknowledges that, there was a relationship between her and the petitioner. According to the victim, the petitioner cohabited with her on the promise of marriage.

The issue as to whether there was any cohabitation or whether such cohabitation took place on the promise as claimed by the de facto complainant are issues which may be decided at the trial, if so raised.

Both the petitioner and the de facto complainant are adults.

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) 1543 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)