

24.04.2023

Serial no. 02

[Dd]

(Anticipatory bail)

(Allowed)

CRM (A) 1586 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Garhbeta** Police Station Vide First Information Report Case No. **131** of **2023** dated **18.02.2023** under Sections **363/365** of the Indian Penal Code.

-And-

In the matter of : **Amerul Chowdhury**

... .. Petitioner

Mr. Manoranjan Mahata,

Mr. Devi Priya AMitra, Advocates

... .. For the Petitioner

Mr. Saibal Bapuli, Id. APP

Mr. Sujan Chatterjee, Advocates

... ..For the State

The victim recorded a statement under Section 164 of the Criminal Procedure Code.

The victim claims herself to be an adult and of 22 years of age.

In her statement recorded under Section 164 of the Criminal Procedure Code, she states that she married the petitioner voluntarily.

In such circumstances, considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code, 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 as and when called for 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) 1586 of 2023 is disposed of.

(Debangsu Basak, J.)

(Rai Chattopadhyay, J.)