

03.05.2023

21

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1879 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** Police Station Case No. **199** of **2023** dated **09.04.2023** under Sections 365/342/506 of the Indian Penal Code, 1860.

And

In Re : Vishnu @ Vishanu Sharma

..... petitioner

Mr. Prosenjit Biswas

....for the petitioner

Mr. Bidyut Kumar Roy

Ms. Rita Dutta

....for the State

Petitioner and the victim are adults.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure claiming that, she went voluntarily with the petitioner and married the petitioner voluntarily.

Learned advocate appearing for the petitioner relies upon a marriage certificate between the petitioner and the victim.

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 further condition that the petitioner shall meet the Investigating Officer as and when called for 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)