

01.09.2023

SL. 7

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3595 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1106** of **2022** dated **28.09.2022** under Sections **498A/376/34** IPC.

And

In the matter of: **Md. Nur Islam**

....petitioner.

Mr. Amarendra Chakraborty

...for the petitioner.

Mr. Aniket Mitra

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner is the husband of the victim/wife.
3. From the statement of the victim placed before us as recorded under Section 164 Cr.P.C., it is found that the allegation regarding rape is against the brother of the present petitioner, named Saddam. There is, however, certain allegation against the petitioner constituting the offence under Section 498A IPC.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of offence and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of

this order.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3595 of 2023** is disposed of.
8. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

