

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

10.03.2023.
15/tkm

C.R.M. (A) 100 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Haldibari P.S case no. 134 of 2022 dated 11.5.2022 under sections 344/417/376/506/34 of the IPC

And

Allowed

In Re : Humayun Sarkar

... petitioner

Mr. Bikash Singha

...for the Petitioner.

Mr. Tapan Bhattacharjee

Mr. K Nag

...for the State

Mr. M Rahaman

...for the de facto.

Officer-in-Charge, Haldibari P.S is personally present.

Further statement of the victim recorded under section 164 Cr.P.C is placed on record.

From the statement it appears that the parties are living together as husband and wife.

In view of the aforesaid circumstance, 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/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 100 of 2023 is disposed of.

Personal appearance of Officer-in-Charge, Haldibari P.S is noted and dispensed with.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)