

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

27.02.2023.
164/tkm

C.R.M. (A) 114 of 2023

In Re : An application for anticipatory bail under section 438 of the
Code of Criminal Procedure in connection with Malbazar P.S case no.
573 of 2021 dated 29.9.2021 under sections
325/498A/354/376/511/313/307/34 of the Indian Penal Code
and

Allowed

In Re : Badrul Haque @ Sk. Badrul Hoque & Anr.
... petitioners

Mr. D Das
..... for the petitioner

Mr. A S Chatterjee
..... for the State

Petitioner no. 1 i.e. father-in-law of the victim housewife
attempted to rape the housewife. Under such circumstances,
we are not inclined to grant anticipatory bail to him.

However, bearing in mind the extent of complicity of
petitioner no. 2 who is uncle-in-law of the victim housewife in
the alleged crime, we are inclined to grant anticipatory bail to
him.

Accordingly, we direct that in the event of arrest, the
petitioner no. 2 viz Jamrul Haque @ Kanrul Jama 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 no. 2 shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 114 of 2023 is disposed of.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)