

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

14.08.2023
Court No.1
(AK 73)

CRM(A) 576 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dhupguri Police Station Case No. 243 of 2023 dated 17.05.2023 under Sections 498A/325/354/354D/509 of the Indian Penal Code

And

In the matter of: **Hamidul Islam**

. **Petitioner.**

Mr. Jaydeep Kanta Bhowmik
Mr. Tushar Debnath
Ms. Rikta Sarkar

... For the Petitioner.

Mr. Ujjwal Luksom
Mr. Dhiman Sil

... For the State.

The father-in-law of the victim is before us.

There are admitted discrepancies in the FIR lodged by the victim and the 164 statement given by the same victim as well as the de-facto complainant.

It also appears that the husband of the victim girl was enlarged on bail by an order of a coordinate Bench on 5th July, 2023.

We are, hence, of the view that the application for anticipatory bail should be allowed.

We accordingly 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) each with two sureties each of like amount to the satisfaction of the Arresting Officer and also to comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioners shall join the investigation and shall not interfere with any witnesses or tamper with any evidence in any manner whatsoever.

The application for anticipatory bail being CRM(A) 576 of 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)