

13.12.2023

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Allowed

IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri

C.R.M. (A) No. 971 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Falakata Police Station Case No. 258 of 2023 dated 05.06.2023 under Section 376/417/506/323/34 of the Indian Penal Code.

And

In Re : Rashidul Haque @ Bappa ..... petitioner

Mr. Hillol Saha Podder

.....for the petitioner

Mr. Saikat Chatterjee

Mr. Sagnik Shankar Sikder

....for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Subsequent statement of the victim has been recorded. She states she has married the petitioner. Marriage certificate has already been placed on record. In view of the aforesaid development we are of the opinion no worthwhile purpose would be served in arresting the petitioner. Hence, we are inclined to grant anticipatory bail to him.

3. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.2,000/-, 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 condition that he shall appear before the court below and pray for regular bail within a period of four weeks from date.

4. The application for anticipatory bail is, thus, allowed.

**(Apurba Sinha Ray, J.)**

**(Joymalya Bagchi, J.)**