

22.01.2024
DL.143
Court No.29
(AD)
(Allowed)

C.R.M. (A) 86 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No.**965 of 2023** dated **16.11.2023** under Sections **498A/323/326/34** of the Indian Penal Code, 1860 (S.L. No.5230 of 2023).

And

In the matter of: **Rafikul Islam**

Mr. Prabir Majumder

....petitioner.

Mr. Mainak Gupta

... for the petitioner.

Mr. Sourav Mukherjee

...for the State.

... for the de facto complainant.

De facto complainant recorded her statement under Section 164 of the Code of Criminal Procedure, subsequent to the filing of the present application.

In her statement, she claims that the matrimonial dispute stands resolved.

In such circumstances, we 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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer as and when called for till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the

presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 86 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)