

25.01.2024

Serial no. 04

Anticipatory bail

[Allowed]

Dd

CRM (A) 211 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Egra** Police Station Case No. **834** of **2023** dated **November 10, 2023** under Sections **417/376/420/109** of the Indian Penal Code, 1860.*

(G.R.(E) Case No. 1375 / 2023)

-And-

*In the matter of : **Sk Sakir***

*... .. **Petitioner***

*Mr. Jayanta Narayan Chatterjee,
Sk. Sahjahan Ali,
Ms. Jayshree Patra, Advocates
... .. For the Petitioner*

*Mr. Sudip Kumar, Advocate
... ..For the State*

Affidavit-of-service filed in Court be taken on record.

None appears for the de facto complainant despite service.

Apparently, the de facto complainant was married when she entered into a relationship with the petitioner.

De facto complainant and the petitioner are adults. They are supposed to be aware of the consequences of their relationship.

De facto complainant claims that there was a promise of marriage held out by the petitioner.

As to whether such promise of marriage was held out or not and the circumstances in respect thereof, may be decided at the trial.

Police filed charge sheet.

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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 211 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)