

11.03.2024

Serial no. 32

Anticipatory bail

[Allowed]

Dd

CRM (A) 689 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Bakultala** Police Station Case No. **412** of **2023** dated **10.11.2023** under Sections **448/376(1)/506** of the Indian Penal Code, 1860.*

-And-

*In the matter of : **Masud Ali Mondal***

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

*Mr. Jisan Iqbal Hossain,
Ms. Chandrima Debnath, Advocates
... .. For the Petitioner*

*Md. Kutubuddin, Advocate
... ..For the State*

*Ms. Sutonuka Chowdhury, Advocate
... ..For the de facto complainant*

Report as called for by the order dated February 28, 2024 filed in Court be taken on record.

Report shows that WhatsApp messages were exchanged between different persons with regard to their relationship.

Apparently, the de facto complainant does not own a SIM card in her name.

Subsequent to the filing of the application for anticipatory bail, de facto complainant lodged a further police complaint of threat being meted out to her.

Materials in the case diary suggest that, the de facto complainant was conversing with different persons with regard to her relationship with them.

Issue of false implication remains.

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 report before the Investigating Officer once in a month till the conclusion of the investigation 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) 689 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)