

11.03.2024
Item No.4
Ct. No. 29
CHC
Allowed

C.R.M.(A) 825 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hariharpara** Police Station Case No. **564/2023** dated **19/12/2023** under Sections **498A/328/307/506/34** of the Indian Penal Code, Section **4** of DP Act with adding Section **304B** of IPC.

And

In the matter of : Monirul Sk. @ Manirul Islam

..... petitioner

Ms. Chandrima Debnath
....for the petitioner

Mr. Arijit Ganguly,
Ms. Mayukhi Mitra
....for the State

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

None appears for the de facto complainant.

Apparently, petitioner before us removed the victim to the hospital.

Statement of the victim recorded under Section 161 of the Criminal Procedure Code does not ascribe any overt act so far as the petitioner is concerned in the assault meted out to her.

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 will report before the Investigating Officer once in a week till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 825 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)