

19.04.2024
Item No.30
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1307 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pandua** Police Station Case No. **477/2023** dated **06/09/2023** under Sections **376/420/506** of the Indian Penal Code, 1860, pending before the Learned Chief Judicial Magistrate at Chinsurah, Hooghly.

And

In the matter of : Sabir Sk.

..... petitioner

Mr. Anindya Halder,
Sk. Zubair Ahmed

....for the petitioner

Mr. Rana Mukherjee, Ld. A.P.P.
Mr. Siladitya Banerjee

....for the State

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

None appears for the de facto complainant.

We perused the statement of the de facto complainant recorded under Section 164 of the Criminal Procedure Code, which suggests that, there was a previous relationship between the petitioner and the de facto complainant.

De facto complainant refused to undergo medical examination.

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

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 fortnight 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) 1307 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)