

29.04.2024
Item No.12
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1487 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **382/2024** dated **21.03.2024** under Sections **417/376/506/34** of the Indian Penal Code, 1860, pending before the Learned Chief Judicial Magistrate, Malda.

And

In the matter of : Nur Jaman

..... petitioner

Mr. Musharraf Alam Sk.
Mr. Sujoy Sarkar,
Ms. Susmita Ghorai
....for the petitioner

Mr. Sujan Chatterjee
....for the State

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

None appears for the de facto complainant.

De facto complainant recorded a statement under Section 164 of the Criminal Procedure Code, where she says that, she was previously married. She entered into a marriage with the present petitioner. She is seeking mutual divorce from the petitioner.

In view of such statement recorded under Section 164 of the Criminal Procedure Code of the de facto complainant, 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 as and when called for by the Investigating Officer 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) 1487 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)