

07.05.2024
Item No.56
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1526 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bagnan** Police Station Case No. **213** of **2024** dated **18.04.2024** under Sections **376/417/506/34** of the Indian Penal Code, 1860, pending before the Court of Learned Additional Chief Judicial Magistrate at Uluberia, District Howrah.

And

In the matter of : Asgar Mir & ors.

..... petitioners

Mr. Tanmay Chowdhury,
Ms. Ritoprita Ghosh
....for the petitioners

Mr. Joydeep Roy, Ld. Jr. Govt. Advocate
Ms. Rita Dutta
....for the State

Mr. Apan Saha
...for the de facto complainant

Petitioners pray for anticipatory bail.

Petitioners, State and the de facto complainant are represented.

Petitioners before us are not the principal accused. Apparently, there was romantic relationship between the de facto complainant and the petitioner.

Both are adults.

As to whether, the relationship was premised on the promise as claimed by the de facto complainant may be decided at the trial.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, 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 no.1, namely, Asgar Mir and petitioner no.3, namely, Sekh Selim Ali @ Sekh Selim will report before the Investigating Officer once in a week till the conclusion of investigation and petitioner no.2, namely, Mano Begam @ Manuja Bagam will cooperate with the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1526 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)