

10.05.2024

DL-6
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1638 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chakulia** Police Station Case No.**103 of 2024** dated **15.03.2024** under Section **376** of the Indian Penal Code, 1860, pending before the Learned Additional Chief Judicial Magistrate, Islampur, Uttar Dinajpur. (G.R. Case No.688 of 2024).

And

In the matter of: **Rakib @ Rakib Alam**

....petitioner.

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourav Mondal
Ms. Labani Sikdar
Mr. Rony Mondal

...for the petitioner.

Mr. Manaranjan Mahata

... for the State.

1. Two adults entered into a consensual relationship as appearing from the statement of the de facto complainant recorded under Section 164 of the Code of Criminal procedure.
2. As to whether, the relationship was premised on the promise of marriage as claimed and any physical relationship ensued may be decided at the trial.
3. Consequently, we grant anticipatory bail to the petitioner.
4. 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a week till the conclusion of the 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.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. **C.R.M. (A) 1638 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)