

22.05.2024

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Ct. No. 03

S.D.

Allowed

C.R.M.(A) 1621 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nabadwip** Police Station Case No. **184** of **2024** dated **21.03.2024** under Sections **417/419/376/313** of the Indian Penal Code, 1860 pending before the learned Additional Chief Judicial Magistrate, Nabadwip, Nadia.

And

In the matter of: **Jumbar Sheikh**

.....petitioner

Ms. Sangeeta Chakraborty

...for the petitioner

Mr. Tanmoy Kumar Ghosh

Mr. Soham De Dhara

.... For the State

Affidavit of service filed in Court be taken on record.

None appears for the defacto complainant.

Both the petitioner and the defacto complainant are adults.

Apparently, there was a consensual relationship. As to whether the relationship was premised upon the parameters as claimed by the defacto complainant or not may be decided at the trial.

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/-, 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. The petitioner will report before the Investigating Officer once a fortnight till the conclusion of the investigation. 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.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)