

20.05.2024
Item No.6
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1647 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **196/2024** dated **26.03.2024** under Sections **417/376B/34** of the Indian Penal Code, pending before Ld. Chief Judicial Magistrate, Berhampore, Murshidabad.

And

In the matter of : Najibul Islam @ Najibul Islam Mondal
..... petitioner

Mr. Jisan Iqubal Hossain
....for the petitioner

Mrs. Anasuya Sinha, Ld. A.P.P.
Mr. Sayan Dev Kumar
....for the State

Petitioner prays for anticipatory bail.

Petitioner before us is the husband.

There is a previous proceeding under Section 498A of the Indian Penal Code, 1860 against the petitioner in which he was enlarged on anticipatory bail.

In the present police case, police filed charge-sheet.

Materials in the Case Diary does not suggest requirement of placing the petitioner in the custody at this stage.

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 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) 1647 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)