

22.05.2024
Item No.29
Ct. No. 3
CHC
Allowed

C.R.M.(A) 1774 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karimpur** Police Station Case No. **60** of **2024** dated **26.03.2024** under Sections **498A/376/511/354/509/34** of the Indian Penal Code, pending before the Learned Additional Chief Judicial Magistrate, Tehatta, Nadia.

And

In the matter of : Awal Sk. @ Md. Abdul Awal Shaikh
@ Abdul Awal Shaikh
..... petitioner

Mr. Abdul Aziz Mondal
....for the petitioner

Mr. Debasish Roy, Ld. P.P.
Mr. Arijit Ganguly,
Mr. Koushik Kundu
....for the State

Mr. Atis Kumar Biswas,
Mr. Sumanta Pramanick
....for the de facto complainant

Petitioner prays for anticipatory bail.

Petitioner before us is the father-in-law.

State and the de facto complainant are represented.

De facto complainant recorded her statement under Section 164 of the Criminal Procedure Code. She stated that, there was an attempt to rape her by the petitioner. She also

speaks of that, petitioner setting her share on fire and she received burn injury.

De facto complainant refused to undergo medical examination.

There are two statements recorded under Section 164 of the Criminal Procedure Code by the neighbours who claimed that, the de facto complainant left the matrimonial home and was not residing at the matrimonial home at the material point of time. In fact she was not residing at matrimonial home for about 6 to 8 months.

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 further condition that the petitioner will report before the Investigating Officer once in a week till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1774 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)