

18.07.2024

Court No.29

Item No.02

Allowed

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CRM (A) 2095 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Asansol Women Police Station Case No. 27 of 2024 dated 12.04.2024 under Sections 376/325/354/4210/506/34 of the Indian Penal Code.

And

In Re: **Rashid Parwez @ Rashid Perwez**

Petitioner

Mr. Avik Ghatak

Mr. Saibal Krihsna Dasgupta

For the Petitioner

Mr. Madhusudan Sur, Ld. APP

Mr. Soumadip Saha

For the State

Mr. Apan Saha

For the De-facto Complainant

1. Learned counsel for the petitioner submits that the petitioner is in love relationship with the de-facto complainant for almost six years and due to difference of opinion a false complaint has been lodged.
2. Learned counsel for the de-facto complainant submits that the petitioner has promised to marry and on that assurance an intimate physical relationship has developed.
3. Learned counsel for the State has produced the case diary.
4. Considering the materials available in the case diary, the statement of the de-facto complainant recorded under Section 164 Cr.P.C and the injury report, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Rashid Parwez @ Rashid Perwez** be released on bail upon furnishing a

bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the Investigating Officer once in a week or as and when called for till the submission of the final report. The petitioner shall not leave the jurisdiction of Asansol Women Police Station without the leave of the Investigating Officer, except for the purpose of attending the Court and on further condition that the petitioner shall appear before the learned Chief Judicial Magistrate, Paschim Bardhaman, within two weeks from date in connection with Asansol Women Police Station Case No. 27 of 2024. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.

7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)