

18.09.2024
SL No.10
Court No.29
(gc)
(Allowed)

CRM (A) 3243 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Chanchal Police Station Case No.627 of 2021 dated 04.08.2021 under Sections 457/417/376 of the Indian Penal Code.

And

In the matter of : **Najimul Hoque @ najimul Haque**

- Petitioner.

Mr. Asif Dewan,
Ms. Shabnam Laskar

....For the Petitioner.

Ms. Baishali Basu,
Mr. Tirthankar Dhali

... For the State.

Mr. Sauradeep Dutta

....For the Victim.

1. The report filed by the State is kept with the record.
2. Heard the learned Counsel for the parties.
3. Considering the statement of the victim recorded under Section 164 Cr.P.C. and, *prima facie*, it appears that the relationship is consensual and they have been married in the meantime, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner namely, **Najimul Hoque @ najimul Haque**, shall be released on bail upon furnishing a bond of Rs.2,000/-, with one registered surety, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall

meet the I.O. as and when required till the submission of the final report.

5. Accordingly, the application for anticipatory bail is disposed of.

6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)