

05.01.2024

Sl.26

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4592 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chinsurah** Police Station Case No. **405 of 2017** dated **08.08.2017** under Sections **419/420/376/506** of the Indian Penal Code, 1860 (corresponding to G.R. Case No.1634 of 2017).

And

In the matter of: **Arif Ali Mandal Sk.**

....petitioner.

Mr. Soumen Datta

Mr. Partha Sarathi Basu

...for the petitioner.

Mr. Debabrata Chatterjee, Ld. APP

Mr. Santanu Chatterjee

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023.

By such order, the petitioner was enlarged on interim anticipatory bail by the Coordinate Bench.

It is submitted at the bar that such prayer for interim anticipatory bail was granted without considering the materials in the case diary and just prior to the ensuing puja vacation.

We perused the materials in the case diary.

Police filed charge sheet.

The de facto complainant recorded her statement under Section 164 of the Code of Criminal Procedure where she acknowledges that she was in a relationship with the petitioner.

Both the petitioner and the de facto complainant are adults.

In such circumstances, we confirm the interim order dated October 16, 2023.

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 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4592 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)